

**No. 20-20574**

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IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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STEVEN HOTZE, M.D., WENDELL CHAMPION,  
HON. STEVE TOTH, AND SHARON HEMPHILL,

*Plaintiffs–Appellants*

v.

CHRIS HOLLINS, in his official capacity as  
Harris County Clerk

*Defendant–Appellee*

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Appeal from the United States District Court for the  
Southern District of Texas, Houston Division; No. 4:20-CV-3709

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**APPELLEE’S OPPOSITION TO MOTION FOR TEMPORARY RELIEF**

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TO THE COURT OF APPEALS FOR THE FIFTH CIRCUIT:

This Court should deny the request for emergency relief. This afternoon, November 2, 2020, following a lengthy hearing involving the Appellants, Appellee, and numerous other interested parties, the district court denied Appellants’ motion for a preliminary injunction that would disrupt the election in Harris County, Texas. The court found that Appellants lack standing, and in the alternative, also stated that it would deny injunctive relief on the merits with respect to more than 125,000 votes that were cast during the early-voting period. Election Day voting is still at issue.

Appellants seek temporary relief, asking this Court to take the highly irregular and controversial step of “staying” an order finding the lack of Article III standing and then imposing its own preliminary injunction—just hours before Election Day. Ever since *Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam), the Supreme Court “has repeatedly emphasized that lower federal courts should ordinarily not alter the election rules on the eve of an election.” *Republican Nat’l Comm. v. Democratic Nat’l Comm.*, 140 S. Ct. 1205, 1207 (2020). That principle controls this case.

This Court has faithfully adhered to the Supreme Court’s guidance and should continue to do so. *See, e.g., Texas Democratic Party v. Abbott*, 961 F.3d 389, 412 (5th Cir. 2020); *Texas Alliance for Retired Americans v. Hughs*, 976 F.3d 564, 567 (5th Cir. 2020); *Veasey v. Perry*, 769 F.3d 890, 895 (5th Cir. 2014). Any court order enjoining the Harris County drive-through voting program, which was unanimously approved several months ago by the bipartisan Harris County Commissioners Court, would be a profound departure from the *Purcell* principle. This consideration alone is sufficient reason to deny the motion for temporary relief.

In addition, Appellants cannot establish that they have a meritorious case for temporary relief. For the Court’s convenience, Appellee attaches his response filed with the district court along with all the exhibits. *See* Ex. A. That response covers the *Purcell* principle, *id.* at 6-8, confirms the district court’s decision on standing, *id.* at 4-6, and provides several other barriers to the requested preliminary injunction. *Id.* at 9-30. Appellee also attaches the district court’s written order. *See* Ex. B.

The district court correctly held that Appellants lack standing. Ex. A at 4-6. With respect to their Article I, section IV, clause 1 (the “Elections Clause”) claim, Appellants lack standing to litigate an “institutional injury” claim that belongs to the Texas Legislature. *See Lance v. Coffman*, 549 U.S. 437, 442 (2007).

This conclusion is not altered by the fact that one of the Appellants here, Representative Toth, is a member of the Texas Legislature. At least with respect to the Elections Clause claim, Representative Toth has suffered no individual injury, but alleges an “institutional injury” that is “wholly abstract and widely dispersed.” *Raines v. Byrd*, 521 U.S. 811, 829 (1997). This is not a case in which the entire Legislature is appearing as “an institutional plaintiff asserting an institutional injury” that has “commenced this action after authorizing votes in both of its chambers.” *Arizona State Leg. v. Arizona Indep. Redistricting Comm’n*, 576 U.S. 787, 802 (2015). Accordingly, Representative Toth has no standing to assert the claim either. *Corman v. Torres*, 287 F. Supp. 3d 558, 567-69 (M.D. Pa. 2018) (three-judge court applying this principle to state legislators alleging Elections Clause violations).

With respect to their equal protection claim, Appellants cannot demonstrate an individual and particularized injury; the record they presented to the district court consisted solely of generalized grievances about the drive-through voting process. *See Gill v. Whitford*, 138 S. Ct. 1916, 1922 (2018). Absent any evidence of some concrete and particularized injury that differentiates Appellants from all other voters, there is no justiciable equal protection claim.

In addition, the district court made clear that even if Appellants had standing, the court would deny injunctive relief with respect to ballots cast during early voting.

Its reasoning would apply with equal force to Election Day voting:

- Appellants failed to show a reasonable likelihood of success on the merits. Ex. A at 13-27. Drive-through voting satisfies the laws governing voting on Election Day just as it does for early voting, *id.* at 13-19, but even if it did not, votes cast under that procedure would still be counted under both Texas law and recent U.S. Supreme Court authority. *Id.* at 20-23 (collecting cases).
- The laches principle applies. *Williams v. Rhodes*, 393 U.S. 23, 34–35 (1968) (election case). Drive-through voting *on Election Day* was approved by the Elections Division of the Texas Secretary of State, the official responsible for maintaining uniformity in application and interpretation of the Election Code. Tex. Elec. Code § 31.003; Ex. A-6 at ¶ 5; Ex. A-14 at 108-09. It was used without legal incident in a primary run-off and it has been widely publicized (including thorough discussions with stakeholders from both political parties). Ex. A at 9-12. Yet Appellants did not file their complaint until October 28—just two days before the conclusion of early voting and after more than 100,000 Texans had voted at drive-through polling places in reliance on the justifiable expectation that their votes would be counted. *Id.*
- Granting an injunction at this late hour would raise doubts about the validity of 126,912 early votes and would cause confusion among Election Day voters, tipping the balance of the equities and the public interest powerfully against the injunctive relief requested by Appellants. Ex. A at 27-30.

The district court expressed some doubt about the use of drive-through voting on Election Day due to a textual difference in the statute that governs Election Day.

But it is notable that the Texas Supreme Court has had two opportunities to consider these precise arguments about the meaning of the Texas Election Code. Both times, that court declined to enjoin the drive-through voting program. Exs. A-1, A-2.

Federal courts should not step in at the last minute where the state courts did not.

Moreover, the district court’s dismissal of the case on the basis of standing meant that it did not grapple with the other reasons to deny injunctive relief with respect to Election Day voting. Chief among these reasons is the *Purcell* principle, which would counsel against any federal interference with Election Day procedures. This Court has held that avoiding voter confusion and disruption of election practices is “within the public interest given the extremely fast-approaching election date.” *Texas Democratic Party v. Abbott*, 961 F.3d 389, 412 (5th Cir. 2020). In this case, we are literally on the eve of Election Day. The public interest would be disserved by an injunction at the last minute—especially since Appellants slept on their rights for months before filing a lawsuit after the election was already underway. Notably, the court’s discussion of Election Day voting does not address the *Purcell* principle.

In addition, even if the district court’s stated concerns were valid, they would amount to nothing more than a run-of-the-mill question about state election laws. They do not state a colorable equal protection claim because the Harris County Clerk has authority only over elections in Harris County, and every voter in Harris County is being treated identically. The fact that voters elsewhere are subject to different voting procedures does not mean the Harris County Clerk’s identical treatment of every Harris County voter is a violation of equal protection. *Citizen Ctr. v. Gessler*, 770 F.3d 900, 917–19 (10th Cir. 2014). This case bears no similarity to the facts of *Bush v. Gore*, 531 U.S. 98 (2000). *See* Ex. A at 26-27. It is a routine dispute about the meaning of one word in a state election law—nothing more.

Nor do Appellants state a colorable claim under the Elections Clause (even if they had standing to invoke it). Their claim depends on Chief Justice Rehnquist’s concurring opinion suggesting a “significant departure” from the statutory scheme prescribed by a state legislature would raise “a federal constitutional question.” *Gore*, 531 U.S. at 113 (Rehnquist, C.J., concurring). The facts of this case represent, at most, a debate over two arguable readings of the word “building” in Texas law. The Clerk’s reading of the word “building” was approved by the Elections Division of the Secretary of State for Election Day voting, and the drive-through voting plan was unanimously approved by a bipartisan Commissioners Court. This situation is hardly the sort of “significant departure from the legislative scheme” that would rise to a constitutional violation. Obviously, it cannot be the law that every dispute about state election law presents a federal constitutional question. Ex. A at 24-25.

Notably, the court’s discussion of Election Day voting does not address either of the alleged federal claims, much less find a “substantial likelihood of success.” That discussion confirms this is a routine state-law dispute—and nothing more.

Election Day is tomorrow. There is no basis for this eleventh-hour attempt to disrupt the election by seeking to enjoin a voting procedure that was announced publicly months ago, approved by the Elections Division of the Secretary of State for Election Day voting, used successfully in a primary election without challenge, and relied on by more than 125,000 Texas voters. The Texas Supreme Court denied emergency relief based on these arguments, and this Court should do the same.

**CONCLUSION**

This Court should deny Appellants' motion for emergency relief.

Respectfully submitted,

*/s/ Richard Warren Mithoff*

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Richard Warren Mithoff  
rmithoff@mithofflaw.com

**MITHOFF LAW**

500 Dallas Street, Suite 3450

Houston, Texas 77002

Telephone: (713) 654-1122

Facsimile: (713) 739-8085

ATTORNEYS FOR APPELLEE,  
CHRIS HOLLINS, IN HIS OFFICIAL  
CAPACITY AS HARRIS COUNTY CLERK

## CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2020, a copy of the foregoing response was filed electronically with the Clerk of the Court using the Court's ECF System. Notice of this filing will be sent electronically by operation of the Court's electronic filing system to all counsel of record:

<p><b><i>Attorneys for Appellants Steven Hotze, M.D., Wendell Champion, Hon. Steve Toth, and Sharon Hemphill:</i></b></p> <p>Jared R. Woodfill WOODFILL LAW FIRM, P.C. 3 Riverway, Suite 750 Houston, TX 77056</p> <p><b><i>Attorneys for Amicus:</i></b></p> <p>Jacob M. Monty Monty Ramirez LLP 150 W Parker Rd, Third Floor Houston, TX 77076</p> <p>Mark Ryan Trachtenberg Haynes and Boone, LLP 1221 McKinney Street, Suite 4000 Houston, TX 77010-2007</p> <p>Sarah Michelle Cummings Reed Smith, LLP 2850 N. Harwood Street, Suite 1500 Dallas, TX 75201</p> <p>Jessica Nicole Witte Thompson &amp; Horton LLP 8300 N. MoPac Expressway Suite 220 Austin, TX 78759</p>	<p><b><i>Attorneys for Defendant Intervenors:</i></b></p> <p>Carvana Yvonne Cloud The Cloud Law Firm 8226 Antoine Drive Houston, TX 77088</p> <p>Charles Stein Siegel Waters &amp; Kraus, LLP 3141 Hood Street, Suite 700 Dallas, TX 75219</p> <p>Kenneth Royce Barrett KBR Law 3740 Greenbriar #541873 Houston, TX 77254</p> <p>S Nasim Ahmad The Ahmad Law Firm 719 Sawdust, Ste 330 The Woodlands, TX 77380</p> <p>Lindsey Beth Cohan Dechert LLP 300 West 6th St Austin, TX 78701</p> <p>Andre Ivan Segura ACLU of Texas 5225 Katy Freeway, Suite 350 Houston, TX 77007</p>
---	---



Jared G. LeBlanc  
Gordon Arata Montgomery Barnett  
1980 Post Oak Blvd., Suite 1800  
Houston, TX 77056

Daniel Osher  
Perkins Coie LLP  
700 13th St NW, Suite 800  
Washington, DC 20005

Marc Elias  
Perkins Coie LLP  
700 13th St NW, Suite 800  
Washington, DC 20005

Skyler Michelle Howton  
Perkins Coie LLP  
500 N. Akard Street, Suite 3300  
Dallas, TX 75201

Larry Richard Veselka  
Smyser Kaplan  
717 Texas Avenue, Ste 2800  
Houston, TX 77002-2761

Stanley G Schneider  
Schneider and McKinney P C  
440 Louisiana St., Ste 800  
Houston, TX 77002

*/s/ Richard W. Mithoff*  
Richard W. Mithoff

## CERTIFICATE OF COMPLIANCE

1. This motion complies with the type-volume limitation of Fed. R. App. P. because: this document contains 1544 words.

2. This document complies with the typeface requirements of Fed. R. App. P. and the type style requirements of Fed. R. App. P. because: this motion has been prepared in a proportionally spaced typeface using Microsoft Word in 14 pt. font.

Dated: November 2, 2020.

*/s/ Richard W. Mithoff*

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Richard W. Mithoff

Tab A

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

STEVEN HOTZE, M.D., WENDELL CHAMPION,	)	
HON. STEVE TOTH, AND SHARON HEMPHILL,	)	
	)	Civil Action No. 4:20-cv-3709
Plaintiffs,	)	
	)	
v.	)	
	)	
CHRIS HOLLINS, in his official capacity as Harris	)	
County Clerk,	)	
	)	
Defendant.	)	
_____	)	

**DEFENDANT’S OPPOSITION TO PRELIMINARY INJUNCTION**

THE ALEXANDER FIRM, PLLC  
 Joseph R. Alexander, JR.  
*Of Counsel*  
 Texas Bar No. 00995150  
 Federal ID No. 1368  
 Two Greenway Plaza, Suite 650  
 Houston, Texas 77046  
 Telephone: (713) 344-2094  
 Facsimile: (713)513-5543  
[joe@alexanderfirmpllc.com](mailto:joe@alexanderfirmpllc.com)

MITHOFF LAW  
 Richard Warren Mithoff  
*Attorney of Record*  
 Texas Bar No. 14228500  
 Federal ID No. 2102  
[rmithoff@mithofflaw.com](mailto:rmithoff@mithofflaw.com)  
 Janie L Jordan  
 Texas Bar No. 11012700  
 Federal ID No. 17407  
[jjordan@mithofflaw.com](mailto:jjordan@mithofflaw.com)  
 Sherie Potts Beckman  
 Texas Bar No. 16182400  
 Federal ID No. 11098  
[sbeckman@mithofflaw.com](mailto:sbeckman@mithofflaw.com)  
 500 Dallas Street, Suite 3450  
 Houston, Texas 77002  
 Telephone: (713) 654-1122  
 Facsimile: (713) 739-8085

**ATTORNEYS FOR DEFENDANT**

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TO THE HON. ANDREW HANEN, UNITED STATES DISTRICT JUDGE:

Defendant Chris Hollins, in his official capacity as Harris County Clerk, respectfully files this response to Plaintiffs' application for a preliminary injunction.<sup>1</sup>

## **I. INTRODUCTION**

Early voting has now ended. Election Day is November 3, 2020—tomorrow. There is no justification for Plaintiffs' eleventh-hour attempt to disrupt the election by seeking to enjoin a voting procedure that was announced publicly months ago, approved by the Texas Secretary of State Elections Division, used successfully in the primary elections without challenge, and relied on by more than 100,000 voters. Granting the relief sought by Plaintiffs would disenfranchise a breathtaking number of voters in a naked attempt to influence the outcome of a closely-contested election. Crucially, the Texas Supreme Court has denied relief based on these same arguments about the meaning of the Texas Election Code—twice. *See* Ex. 1-2. This Court should do the same and deny the application for a preliminary injunction.

## **II. NATURE AND STAGE OF PROCEEDINGS**

On October 28, 2020—two days before the end of the early voting period for the November 2020 general election—Plaintiffs filed their complaint and requested a preliminary injunction. (Doc. Nos. 1, 3-4). The Court set a hearing. (Doc. No. 6).

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<sup>1</sup> Because Defendant's answer is not yet due, Defendant reserves the right to file an answer and assert any Rule 12 defenses in due course.

### **III. STATEMENT OF THE ISSUES AND STANDARD OF REVIEW**

1. Whether Plaintiffs have standing to assert their claims.
2. Whether a district court should intervene in an ongoing election.
3. Whether Plaintiffs' unjustifiable delay and the resulting prejudice bars injunctive relief.
4. Whether Plaintiffs have satisfied their burden of showing a substantial likelihood of success on the merits of each of their claims for relief—which requires them to establish (a) the alleged violations of Texas law, and also (b) the alleged violations of either the Elections Clause or the Equal Protection Clause of the U.S. Constitution.
5. Whether granting injunctive relief in the midst of an election would disserve the public interest.

### **IV. SUMMARY OF ARGUMENT**

Plaintiffs' federal claims depend on the premise that drive-through voting violates the Texas Election Code. Twice in the last two weeks, they have taken that argument to the final arbiter of Texas law—the Texas Supreme Court—and lost. Most recently, they presented identical arguments to the Texas Supreme Court in a petition for a writ of mandamus that alleged the same violations of the Election Code, Ex. 3 at 10-11, 15-19, asserted the same federal rights, *id.* at 12-14, 19-20, and sought precisely the same remedies. *Id.* at 25-26. The Texas Supreme Court denied relief. Ex. 1. The Texas Supreme Court does not agree that drive-through voting violates the Texas Election Code in any way that warrants the invasive step of an injunction (even one that simply “secures” voting records), so this Court should not interfere.

## V. ARGUMENT

It is well-settled that a preliminary injunction is “an ‘extraordinary remedy’ that should only be granted if the movant has ‘clearly carried the burden of persuasion’ on all four factors.” *USI Sw., Inc. v. Edgewood Partners Ins. Ctr.*, No. 4:19-CV-04768, 2020 WL 2220573, at \*3 (S.D. Tex. May 6, 2020) (Hanen, J.) (citation omitted). Although a movant need not prove its case, it must “clearly show” each of the four factors for injunctive relief:

- (1) a substantial likelihood that the movant will prevail on the merits;
- (2) a substantial threat of irreparable injury if the injunction is not granted;
- (3) the injury outweighs the threatened harm to the party to be enjoined; and
- (4) granting a preliminary injunction will not disserve the public interest.

*Id.*; see also *Winter v. NRDC*, 555 U.S. 7, 20 (2008) (“A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.”); *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997) (“It frequently is observed that a preliminary injunction is an extraordinary and drastic remedy, one that should not be granted unless the movant, *by a clear showing*, carries the burden of persuasion.”) (citation omitted) (emphasis in original). Plaintiffs cannot meet that test under the extraordinary circumstances of this case.

**A. For numerous reasons, the Court should not entertain the merits of Plaintiffs’ application for injunctive relief.**

Before turning to the merits of Plaintiffs’ claims and the injunction factors, there are a series of jurisdictional and prudential barriers to be addressed.

**1. Plaintiffs lack standing.**

Plaintiffs’ complaint alleges violations of Article I, section IV, clause 1 of the U.S. Constitution (the “Elections Clause”) and the Equal Protection Clause of the Fourteenth Amendment. Complaint at 1-2, 9-11, 11-12. Standing must exist for “each claim.” *Town of Chester v. Laroe Estates, Inc.*, 137 S. Ct. 1645, 1650 (2017) (citing cases). Plaintiffs cannot establish standing for either claim.

First, the Elections Clause claim alleges the violation of a right that belongs to the Legislature—not to any individual voter, legislator, or candidate. Therefore, none of the Plaintiffs can establish an individual injury-in-fact that provides standing to litigate this particular claim. *See Lance v. Coffman*, 549 U.S. 437, 442 (2007).

Indeed, the U.S. Supreme Court’s reasoning in *Lance* is equally applicable here:

The only injury plaintiffs allege is that the law—specifically the Elections Clause—has not been followed. This injury is precisely the kind of undifferentiated, generalized grievance about the conduct of government that we have refused to countenance in the past. It is quite different from the sorts of injuries alleged by plaintiffs in voting rights cases where we have found standing. Because plaintiffs assert no particularized stake in the litigation, we hold that they lack standing to bring their Elections Clause claim.

*Id.* (citing and distinguishing *Baker v. Carr*, 369 U.S. 186 (1962)).

This conclusion is not altered by the fact that one of the Plaintiffs here, Representative Toth, is a member of the Texas Legislature. At least with respect to the Elections Clause claim, Representative Toth has suffered no individual injury, but alleges an “institutional injury” that is “wholly abstract and widely dispersed.” *Raines v. Byrd*, 521 U.S. 811, 829 (1997). This is not a case in which the entire Legislature is appearing as “an institutional plaintiff asserting an institutional injury” that has “commenced this action after authorizing votes in both of its chambers.” *Arizona State Leg. v. Arizona Indep. Redistricting Comm’n*, 576 U.S. 787, 802 (2015). Accordingly, Representative Toth has no standing to assert the claim either. *Corman v. Torres*, 287 F. Supp. 3d 558, 567-69 (M.D. Pa. 2018) (three-judge court applying this principle to state legislators alleging Elections Clause violations).

As for Plaintiffs’ equal protection claim, none of them has demonstrated any individual and particularized injury that differentiates them from all other voters. They complain that equal protection is violated because Harris County voters are being treated differently from voters in other counties. *See* Complaint at 11-12, 16.<sup>2</sup> But Plaintiffs are not suffering any *individual* injury. “[T]he fundamental problem” with their equal protection claim is that “[i]t is a case about group political interests, not individual legal rights.” *Gill v. Whitford*, 138 S. Ct. 1916, 1922 (2018).

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<sup>2</sup> Plaintiffs are mistaken to assert that Harris County is the only county using drive-through voting. [http://users.neo.registeredsite.com/2/5/8/19955852/assets/EV\\_HOURS38404.pdf](http://users.neo.registeredsite.com/2/5/8/19955852/assets/EV_HOURS38404.pdf) (Calhoun Cty.).

Moreover, the essential premise of the equal protection claim is incorrect. Because the Clerk treats every Harris County voter equally, the fact that this county offers different polling places than other counties does not mean the Clerk has denied residents of Harris County equal protection of the law. *See Citizen Ctr. v. Gessler*, 770 F.3d 900, 917–19 (10th Cir. 2014). Plaintiffs are entitled to disagree with the Clerk’s use of drive-through polling places, but “recognizing standing based on such an ‘undifferentiated’ injury is fundamentally ‘inconsistent’ with the exercise of the judicial power.” *Protect Our Parks, Inc. v. Chicago Park Dist.*, 971 F.3d 722, 731 (7th Cir. 2020) (Barrett, J.) (citation omitted).

**2. The court should not intervene in an ongoing election.**

This Court should not interfere in the middle of an ongoing election, especially when the procedure in question was implemented by a public official exercising his official duties and was previously approved by the Elections Division of the Texas Secretary of State. *See* Ex. 6 at ¶ 5.

Since *Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam) stated this principle, the Supreme Court “has repeatedly emphasized that lower federal courts should ordinarily not alter the election rules on the eve of an election.” *Republican Nat’l Comm. v. Democratic Nat’l Comm.*, 140 S. Ct. 1205, 1207 (2020); *see also Texas Alliance for Retired Americans v. Hughs*, 976 F.3d 564 (5th Cir. 2020) (noting the “value of preserving the status quo in a voting case on the eve of an election”).



The *Purcell* principle has been consistently followed by the Supreme Court. *Democratic Nat'l Comm. v. Wisconsin State Legislature*, No. 20A66, 2020 WL 6275871, at \*3 (Oct. 26, 2020) (Kavanaugh, J., concurring) (collecting cases). Simply put, a district court should not “intervene[] in the thick of election season to enjoin enforcement of a State’s laws.” *Id.* at \*1 (Roberts, C.J., concurring).

The *Purcell* principle has been applied to vacate lower courts’ decisions enjoining state election rules when the election was close at hand. *See, e.g., Purcell*, 549 U.S. at 3, 5-6 (vacating an injunction entered 33 days before election day); *Republican Nat’l Committee*, 140 S. Ct. at 1208-09 (staying an injunction entered five days before election day); *see also North Carolina v. League of Women Voters*, 574 U.S. 927 (2014) (staying an injunction entered 32 days before election day); *Husted v. Ohio State Conference of NAACP*, 573 U.S. 988 (2014) (staying an injunction entered 61 days before election day).

Here, Plaintiffs are seeking an injunction not “on the eve of an election,” *Republican Nat’l Comm.*, 140 S. Ct. at 1207, but in the middle of it. Early voting occurred between October 13-30, 2020. Election Day is tomorrow, November 3. More than 1.4 million residents of Harris County have voted already, Ex. 12, 17, including 126,912 who voted at drive-through polling places. *Id.* Intervening now would foment controversy and “result in voter confusion,” *Purcell*, 549 U.S. at 5-6, especially among voters left to wonder whether their votes will be counted.

If this Court issues a preliminary injunction, the risk of voter confusion and a “consequent incentive to remain away from the polls,” *id.*, will be intolerably high. First, individuals who have not voted yet and are relying on drive-through voting may become confused and stay away from the polls. Indeed, it is impossible to quantify how many individuals chose not to request mail ballots because they were relying on drive-through voting being available to them on Election Day. Second, individuals who have already voted using drive-through voting may attempt to return on Election Day to make sure their votes are counted—creating a needless crisis.

A recent application of the *Purcell* principle is instructive. Two weeks ago, after the North Carolina State Board of Elections modified the deadline for receipt of absentee ballots, the Fourth Circuit refused injunctive relief. *See Wise v. Circosta*, No. 20-2104, 2020 WL 6156302, at \*1-4 (4th Cir. Oct. 20, 2020). The Fourth Circuit stated that “*Purcell* strongly counsels *against* issuing an injunction here.” *Id.* at \*3. Tellingly, the Supreme Court also refused to grant an injunction. *Moore v. Circosta*, No. 20A72, 2020 WL 6305036 (Oct. 28, 2020). These denials represented disciplined and conscientious adherence to the *Purcell* principle.

Here, the Clerk implemented drive-through polling places in an exercise of his official duties under state law. Therefore, drive-through voting is the status quo, and federal courts should not interfere just before the final day of the election.

**B. Plaintiffs’ unjustifiable delay threatens to disenfranchise more than 100,000 voters, which is a compelling reason to deny relief.**

Because injunctive relief is subject to “well-established principles of equity,” *eBay Inc. v. MercExchange, L.L.C.*, 547 U.S. 388, 391 (2006), the right to relief may be forfeited by an inexcusable delay that causes prejudice. “Laches is founded on the notion that equity aids the vigilant and not those who slumber on their rights.” *Nat’l Ass’n of Gov’t Emp. v. City Pub. Serv. Bd.*, 40 F.3d 698, 708 (5th Cir. 1994); *see also Covey v. Arkansas River Co.*, 865 F.2d 660, 662 (5th Cir. 1989) (“It is a common maxim that equity is not intended for those who sleep on their rights.”); *Armco, Inc. v. Armco Burglar Alarm Co.*, 693 F.2d 1155, 1161 (5th Cir. 1982) (stating the elements of laches). This obligation is one of the “traditional principles of equity jurisdiction” that is a “prerequisite” to the “availability of injunctive relief.” *Grupo Mexicano de Desarrollo S.A. v. All. Bond Fund, Inc.*, 527 U.S. 308, 318–19 (1999).

The laches principle applies in election cases. *See, e.g., Williams v. Rhodes*, 393 U.S. 23, 34–35 (1968) (upholding denial of injunctive relief to litigant seeking ballot access, despite a meritorious claim, based on the litigant’s unjustifiable delay); *Perry v. Judd*, 471 Fed. Appx. 219, 224–26 (4th Cir. 2012) (same); *Kay v. Austin*, 621 F.2d 809, 813 (6th Cir. 1980) (same).<sup>3</sup>

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<sup>3</sup> *See also Fishman v. Schaffer*, 429 U.S. 1325, 1330 (1976) (Marshall, J., Circuit Justice); *Westermann v. Nelson*, 409 U.S. 1236, 1236–37 (1972) (Douglas, J., Circuit Justice).

The laches principle provides a compelling reason to deny injunctive relief. Plaintiffs did not file their federal complaint until October 28—just two days before the conclusion of the early voting and after more than 100,000 Texans had voted at drive-through polling places in reliance on the justifiable expectation that their votes would be counted in this uniquely consequential election. Plaintiffs cannot pretend that they lacked prior notice and a reasonable opportunity to file their claims earlier, nor can they deny the prejudice that would result from the relief they seek—potentially disenfranchising an astounding number of voters.

First, Plaintiffs inexcusably delayed the filing of their federal complaint. Plans to establish drive-through polling places were announced on June 15, 2020. Ex. 5. Throughout the summer, the Clerk held a series of “stakeholder meetings,” which included representatives from the Harris County Republican Party, to discuss various issues related to the election—including the drive-through polling places. Ex. 6 ¶ 6. On July 10, the Clerk tested one drive-through polling place during the primary run-off election, and then issued a press release about it on July 22. Ex. 7. On July 29, the Harris County Attorney approved of drive-through voting. Ex. 8.

On August 25, the Harris County Commissioner’s Court approved a plan to implement drive-through polling places for the general election, a decision that was publicized in the *Houston Chronicle*. Ex. 9. The Commissioners (a bipartisan body) unanimously approved the drive-through voting (“DTV”) polling places. Ex. 10.

As Plaintiffs point out, the Clerk publicly announced his intention to make drive-through polling places available for the general election on September 10. Complaint ¶ 20. Two weeks later, on September 29, the Commissioners accepted a \$9.6 million grant that expanded drive-through voting locations. Ex. 11.

Given the public nature of the drive-through voting initiative, there is no excuse for Plaintiffs' delay in this case. If Plaintiffs believed they had justiciable federal constitutional claims, the time to complain was before early voting *began*—not two days before it *ended*. There are more than 125,000 horses out of the barn. As of the end of early voting, 126,912 citizens had voted at drive-through locations, representing 10% of the 1,264,811 early votes. Ex. 12, 17. These voters cast ballots for candidates of both political parties in good-faith and justified reliance on the legality of the drive-through polling places.

It is no answer for Plaintiffs Hotze and Hemphill to claim that they sought mandamus relief from the Texas Supreme Court previously. Even that petition was not filed until October 15, 2020—two days *after* the early voting period had begun. Ex. 13 at 5. And it did not raise the federal constitutional claims raised in this case, but simply alleged violations of the Texas Election Code and the Texas Constitution. *Id.* at 6. Plaintiffs have no justification for failing to file their federal claims earlier. Indeed, the Texas Supreme Court denied their first petition for mandamus relief on October 22, 2020, Ex. 2, yet they waited several more days to file this action.

Plaintiffs now ask this Court to issue an injunction that would both delay the counting of all the votes cast at these drive-through polling places, Complaint at 17, and “[r]eject any votes it finds were cast in violation of the Texas Election Code” (without explaining how a federal district court has the power to “reject” state votes). *Id.* According to Plaintiffs, *every vote* cast by an otherwise qualified voter who did not qualify for curbside voting was “cast in violation of the Texas Election Code” and should be thrown out. *Id.* It is no exaggeration to say that Plaintiffs are trying to deny more than 125,000 Texans their constitutional right to vote—a consequence that could not have occurred if they had sought relief prior to the early voting period. If Plaintiffs had sought relief promptly after plans for drive-through polling places were announced—and had prevailed on their claims—these 126,912 Texas citizens would have been able to make other voting arrangements. They have lost that chance through no fault of their own, and they should not lose it through the gamesmanship of a last-minute election lawsuit. This situation reflects the worst sort of prejudice that the laches doctrine forbids. Equity should not reward such gamesmanship.

Every American citizen who is qualified to vote has “a constitutional right to vote and to have their votes counted.” *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964). “Not only can this right to vote not be denied outright, it cannot, consistently with Article I, be destroyed . . .” *Id.* Yet that is the relief Plaintiffs request in this case. There is no more extreme form of prejudice. Laches bars their request for relief.

**C. Plaintiffs cannot show a reasonable likelihood of success.**

Even if injunctive relief were otherwise available under these circumstances, Plaintiffs could not meet their burden of showing a substantial likelihood of success. Doing so requires them to surmount not one, but two hurdles. First, they must show that drive-through polling places are contrary to the Texas Election Code; second, they must show that the variance rises to the level of a federal constitutional offense. They cannot make either showing—much less both.

**1. Drive-through polling places satisfy the Texas Election Code.**

Plaintiffs cite a number of Texas statutes to support their challenge, but they distort the relevant provisions and ignore the provision that is directly applicable. Plaintiffs would have the Court believe the Harris County Clerk acted unilaterally to implement drive-through voting, but in fact, the Clerk only recommends locations for early voting; the actual legal approval is issued by the Commissioners Court. Tex. Elec. Code § 85.062(a)(1). On August 25, the Commissioners Court approved the recommended early voting locations—including drive-through polling places—by a unanimous and bipartisan vote. *See* Ex. 10.

Plaintiffs would have the Court believe the governing law is Section 64.009, but in fact, the location of early voting polling places is specifically governed by Tex. Elec. Code § 85.062(b). That statute provides that an early voting polling place may be located “in any stationary structure,” including a “movable structure.” *Id.*

Drive-through polling places comply with the statutory scheme authorized by the Legislature because they are “stationary structures” or “movable structures.” There is no dispute that drive-through polling places are either stationary or movable (and must be one or the other), so the real question is whether they are “structures.” That question is simple.

The Election Code does not define “structure,” so the word is to be given its ordinary meaning. “Structure” is “[a]ny construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner. That which is built up or constructed; an edifice or building of any kind.” *Structure*, Black’s Law Dictionary 1424 (6<sup>th</sup> ed. 1990). The word ordinarily means “[s]omething constructed, such as a building.”<sup>4</sup>

By this ordinary definition, there is no doubt the drive-through polling places qualify as “structures.” Sturdy metal frames were constructed to form “structures” that cars can drive through in distinct lines to pass through individual voting stations. “Each drive-thru location is constructed of metal frames and durable tent covers covering a space of at least ten feet by twenty feet, with a ten-foot lane for a car to pass through.” Ex. 6 at ¶ 7. They are not such a novelty; similar tent structures are also being used (without any legal challenges) at walk-in voting centers. *Id.* at ¶ 12; Ex. 16 at ¶ 12.

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<sup>4</sup> <https://ahdictionary.com/word/search.html?q=structure> (last visited October 31, 2020).



What was legal last week will not become illegal tomorrow on Election Day. Polling places on Election Day are governed by a different statute, which states that each polling place “shall be located inside a building.” Tex. Elec. Code § 43.031(b). Once again, the Election Code does not define “building,” so the word is to be given its ordinary meaning. “Building” is a “[s]tructure designed for habitation, shelter, storage, trade, manufacture, religion, business, education, and the like. A structure or edifice inclosing a space within its walls, and usually, but not necessarily, covered with a roof.” *Building*, Black’s Law Dictionary 194-95 (6<sup>th</sup> ed. 1990). The word ordinarily means “[s]omething that is built, as for human habitation; a structure.”<sup>5</sup> Other Texas statutes define “building” in similar terms as “any enclosed structure” that is intended or designed “for use.” *See, e.g.*, Tex. Local Gov’t Code § 214.231; Tex. Local Gov’t Code § 233.0615; Tex. Penal Code § 30.01.

By this ordinary definition, there is no doubt the drive-through polling places qualify as “buildings.” As we have already explained, they are enclosed “structures” that are intended, designed, and built for a designated “use.” *E.g., Myers v. State*, No. 05-92-00430-CR, 1992 WL 276459, at \*2 (Tex. App.—Dallas 1992, no pet.) (holding a tent at the State Fair of Texas was a “building”). These tent structures have four walls, a roof, and a controlled entrance. The fact that the walls and roof are canvas rather than wood, brick, or stone is not legally significant.

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<sup>5</sup> <https://ahdictionary.com/word/search.html?q=building> (last visited October 31, 2020).

Furthermore, the Texas Secretary of State is the State's chief election officer, responsible for uniformity in the application and interpretation of the Election Code. Tex. Elec. Code § 31.003. The Senior Advisor of Voting Rights and Access for the Harris County Clerk's Office "sought advice from the SOS [Secretary of State] related to drive-thru voting over the course of multiple conversations." Ex. 6 at ¶ 5. "The SOS approved of the idea and made suggestions to keep the project in compliance with the law, such as providing access to all voters who come to a particular location whether in a vehicle, by bicycle, or on foot." *Id.* This account was confirmed by testimony from the Texas Secretary of State Director of Elections in a prior case; he agreed that drive-through voting is "a creative approach that is probably okay legally" provided the polling place is associated with a building and is able to accommodate any voters who wish to vote. Ex. 14 at 108-09.

Rather than engage seriously with the plain meaning of the statutory terms, Plaintiffs conflate drive-through polling places with so-called "curbside voting." But they are very different. Curbside voting is a practice in which an election official brings a ballot to a voter at a location outside the polling station. On the other hand, drive-through voting allows a voter to enter the polling place in his or her vehicle and the act of voting occurs inside, rather than outside, the polling place. Therefore, Plaintiffs are attempting to mix apples and oranges.

The statutes governing “curbside voting” apply to all polling places and are designed to accommodate voters with particular physical disabilities or health risks. Plaintiffs recount the requirements for those special accommodations in some detail, but drive-through polling places do not offer the accommodations of curbside voting. Rather, they create temporary “structures” and “buildings” that allow any voter—not just voters with a particular disability or health condition—to vote within the polling place itself. By trying to equate drive-through voting with curbside voting, Plaintiffs are simply knocking down a strawman.

Plaintiffs’ complaint requests a review of “curbside voting applications.” Complaint at 17. But as the Harris County Administrator of Elections has explained, Ex. 16 at ¶ 2, there is no such thing as a “curbside voting application.” *Id.* at ¶ 9. “No application is required for curbside voting. The voter merely rings a buzzer and an election worker comes to the voter’s car outside the polling location with a special ADA-compliant voting machine. Voters are not questioned about their health status or the nature of their disability.” *Id.*; *see also* Tex. Elec. Code § 64.009.

By contrast, “[d]rive-thru voting is a different physical layout of an in-person polling location, not a special accommodation for people with disabilities who cannot physically enter the polling places, where all election laws, including the accommodation of poll watchers, are in force.” Ex. 16 at ¶ 10.

In short, drive-through polling places are just another form of polling place with a different layout and structure than traditional polling places; curbside voting is a method of voting that must be available at all polling places to accommodate voters with certain disabilities. If a voter is physically unable to enter a polling place without personal assistance or a likelihood of injuring the voter's health, on the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or the curb. Tex. Elec. Code § 64.009(a). While this restricted method of voting is colloquially known as "curbside voting," its actual physical application varies depending on the precise nature and physical layout of each polling location. On Election Day, Harris County will have approximately 800 polling locations and "[t]he physical layout and facilities in each will vary widely although every single location will offer curbside voting as Texas law requires." Ex. 16 at ¶ 8.

Plaintiffs rely primarily on the particular statute governing curbside voting, Tex. Elec. Code § 64.009, which is inapplicable for the reasons we have explained. They also cite Tex. Elec. Code § 82.002, but that statute refers to mail-in voting and involves different eligibility criteria; it is also inapplicable. And their citation to Tex. Elec. Code § 104.001 is baffling; that provision allows a voter who cannot use a voting machine at his or her precinct on Election Day due to a health condition or physical disability to vote instead at the main early voting polling place. Once again, it is completely inapplicable here. *See* Ex. 16 at ¶ 11.

Finally, the politically-charged accusation that drive-through polling places were strategically placed in “Democratic strongholds,” Complaint at 16, is not true. The Harris County Commissioners Court—a bipartisan body currently composed of three Democrats and two Republicans—*unanimously* approved the location of the drive-through polling places. *See* Ex. 10. And a map of Harris County reveals that the drive-through polling places are scattered around the county in a logical manner: one location is downtown (Toyota Center); five locations are distributed in a circle around Loop 610 (NRG Arena, Houston Community College West Loop South, Resurrection Metropolitan Church, Houston Food Bank, John Phelps Courthouse); and four are around Beltway 8 (Kingdom Builders Center, Houston Community College Alief Center, Fallbrook Church, Humble Civic Center). Ex. 15. Frankly, the idea that NRG Arena and Toyota Center are “Democratic strongholds” is absurd. Those two sites were selected for strictly neutral reasons, and two sites were located in each County Commissioner’s precinct with their input and approval. Ex. 17.

In this respect, it is important to note that the only “evidence” Plaintiffs cite in support of their charged accusation is a summary of early voting statistics that includes no partisan identification of voters. *See* Complaint Ex. B. And obviously, hearsay attributed to a Republican state senator in a media report, Complaint at 16, is neither admissible nor competent evidence. There is no evidence to suggest that the drive-through voting locations created a disproportionate partisan breakdown.

**2. In any event, Plaintiffs cannot prevail on their claim to reject votes cast at drive-through polling places.**

Regardless of the merits of Plaintiffs’ complaints about drive-through voting, their ultimate request for relief—that all votes cast at drive-through polling places by voters who were ineligible for curbside voting be “[r]ejected,” Complaint at 17—cannot succeed. There has been no allegation of wrongdoing by the 126,912 voters who cast their ballots in this manner, and their votes must be counted. Otherwise, those voters will lose their right to vote in this election through no fault of their own. When those citizens chose to utilize to drive-through voting, the practice had been approved by the Secretary of State and the Texas Director of Elections, used in a prior election without legal incident, and permitted to proceed by the Texas courts. *See In re Hotze*, 20-0819, 2020 WL 6193918, at \*1 (Tex. Oct. 22, 2020) (denying both petition for writ of mandamus and motion for emergency stay); *In re Pichardo*, 14-20-00697-CV, 2020 WL 6051700, at \*3 (Tex. App.—Houston [14th Dist.] Oct. 14, 2020, mandamus denied). These voters had every reason to believe their votes would be counted—and the law provides that they must be counted.

“No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.” *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964). At bottom, this extraordinary case is about nothing less than that most precious right.

Texas courts likewise hold “the right to vote is fundamental, as it preserves all other rights.” *Andrade v. NAACP of Austin*, 345 S.W.3d 1, 12 (Tex. 2011) (citations omitted); *see also In re State*, 602 S.W.3d 549, 572 (Tex. 2020). As such, this right must be “zealously safeguarded,” *Thomas v. Groebl*, 212 S.W.2d 625, 630 (Tex. 1948), through a “well established rule of construction” that requires courts to construe statutes as broadly as possible in favor of the right to vote. *Id.*

Mindful of this principle, when the Texas Legislature intends for violations of the Election Code to invalidate a vote, it uses unambiguous and mandatory language. *See, e.g.*, Tex. Elec. Code §§ 41.008 (“An election held on a date not permitted by this subchapter is void.”), 65.010 (listing types of ballots that “may not be counted”), 86.006(h) (ballots returned in violation of that section “may not be counted”). According to the Texas Supreme Court, only these mandatory provisions permit a court to reject a ballot; merely directory provisions do not. *See Ramsey v. Wilhelm*, 52 S.W.2d 757, 759 (Tex. Civ. App.—Austin 1932, writ ref’d)<sup>6</sup> (holding that “in the absence of any showing of fraud, or reasonable indication that such will has not been fairly expressed and the evidence thereof properly preserved, the courts have been liberal in construing and enforcing as directory only the provisions of the election laws which are not upon their face clearly mandatory.”).

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<sup>6</sup> A “writ refused” case from this era “carries the imprimatur of Texas Supreme Court precedent.” *Hyundai Motor Co. v. Vasquez*, 189 S.W.3d 743, 754 n.52 (Tex. 2006).

As one Texas court has explained, the Texas election laws are categorized as “either mandatory or directory,” and “after the voters have acted by voting” statutes “will and ought to be construed as being directory on easier terms than provisions of election laws governing what is required of candidates.” *Branauum v. Patrick*, 643 S.W.2d 745, 749 (Tex. App.—San Antonio 1982, no writ). This is appropriate “because the right to vote is a fundamental one.” *Id.*

None of the statutes invoked by Plaintiffs provides that a ballot or election may be invalidated in the event of a failure to comply. They are purely directory, not mandatory, so Texas law dictates that they are not a basis to invalidate a vote. *Ramsey*, 52 S.W.2d at 759. Texas courts have held repeatedly that even when an election has used a procedure later found to be in violation of the Election Code, votes cast under that procedure must still be counted—including in cases involving disputes about polling places. *See, e.g., Honts v. Shaw*, 975 S.W.2d 816, 821-22 (Tex. App.—Austin 1998, no pet.). To hold otherwise would punish innocent voters for the mistakes of election officials. *See Honts*, 975 S.W.2d at 822 (warning that “a sanction for the sins of the . . . official should not [be] visited upon the voter”) (quoting *Alvarez v. Espinoza*, 844 S.W.2d 238, 243 (Tex. App.—San Antonio 1992, writ dism’d w.o.j.)); *see also Little v. Alto Indep. Sch. Dist.*, 513 S.W.2d 886, 890 (Tex. Civ. App.—Tyler 1974, no writ); *Altgelt v. Callaghan*, 144 S.W. 1166, 1171 (Tex. Civ. App.—San Antonio 1912, writ dism’d w.o.j.).



The U.S. Supreme Court recently held the same. *See Andino v. Middleton*, 592 U.S. \_\_\_\_, 2020 WL 5887393, at \*1 (2020). In *Andino*, the Court stayed an order that would eliminate the witness requirement for absentee ballots in South Carolina, effectively keeping that witness requirement in place for the 2020 general election. The briefing noted that thousands of ballots without witness signatures had been cast in reliance on the lower court’s ruling, and the Court ruled that “any ballots cast before this stay issues and received within two days of [the Court’s] order [could] not be rejected for failing to comply with the witness requirement.” *Id.*

This Court should rule the same. Even if a court ultimately concluded that drive-through voting does not comply with the Texas Election Code—despite the preclearance of the Secretary of State’s Elections Division and the refusal of the Texas Supreme Court to reach that conclusion when given an opportunity to do so—that ruling would *not* allow the ballots cast by 126,912 citizens under that procedure to be “rejected.” Complaint at 17. The magnitude of this issue cannot be overstated. The group of voters Plaintiffs seek to disenfranchise is larger than the population of most Texas cities—including, for example, Pearland, Sugar Land, College Station, Beaumont, and The Woodlands. Such an extreme action would threaten to change the outcome of numerous races on the ballot, which is the last thing a federal court should entertain doing in the middle of the election. The Court should immediately deny relief with respect to this incendiary request for relief.

**3. Even if Plaintiffs’ interpretation of Texas law were correct, their claims do not raise any substantial federal question or invade any protected constitutional right.**

Even if Plaintiffs could establish that drive-through voting is a violation of the Texas Election Code, that conclusion would be insufficient to state a federal claim. Thus, to demonstrate a substantial likelihood of success, they must also demonstrate that the federal claims they have alleged are substantially likely to succeed.

Plaintiffs’ first federal claim alleges that drive-through voting is not only contrary to the Texas Election Code but rises to the level of a violation of the Elections Clause, which provides that the “Times, Places, and Manner” of elections for United States Senators and Representatives “shall be prescribed in each State by the Legislature thereof.” U.S. Const. art. I, § 4, cl. 1. Plaintiffs build their argument on a concurring opinion in *Bush v. Gore*, 531 U.S. 98 (2000), which posited that a “significant departure” from the scheme prescribed by a state legislature would raise “a federal constitutional question.” *Id.* at 113 (Rehnquist, C.J., concurring).

That theory did not command a majority in *Gore*, and it is inapplicable here. For one thing, as noted, Plaintiffs lack standing to assert an Elections Clause claim. For another, the facts of this case do not involve the review of a state-court decision, nor do they approach the sort of “significant departure from the legislative scheme,” *id.*, that would rise to a constitutional violation. Obviously, it cannot be the law that every dispute about state election law presents a federal constitutional question.

The practices in question here represent a reasoned interpretation of the relevant provisions of the Texas Election Code, and far from being a departure from the legislative scheme, they were approved in advance by the Elections Division of the Texas Secretary of State—the state official charged with maintaining uniformity in the application and interpretation of the Election Code. Tex. Elec. Code § 31.003. Even if there is some room for a debate about whether drive-through polling places are permissible “structures” and “buildings” under the Election Code, that debate is hardly the sort of “significant departure” that Chief Justice Rehnquist had in mind.

The *Gore* concurrence contended that “with respect to a Presidential election, the court must be both mindful of the legislature’s role under Article II in choosing the manner of appointing electors *and deferential to those bodies expressly empowered by the legislature to carry out its constitutional mandate.*” *Id.* at 114 (emphasis added). Here, the Harris County Commissioners Court (which determines temporary polling places and unanimously voted to approve drive-through voting) and the Clerk (who administers the election) *are* “those bodies expressly empowered by the legislature to carry out its constitutional mandate.” This is not a case in which “[t]he general coherence of the legislative scheme” has been “altered” by any court (or other state actor) “so as to wholly change the statutorily provided apportionment of responsibility” regarding election procedures. *Id.* In truth, the *Gore* concurrence supports deference to the public officials’ discharge of their legal duties.

Plaintiffs' equal protection claim alleges that Harris County is the only county that has adopted drive-through voting and "surrender[ed] the safeguards associated with curb-side voting while other counties maintain the integrity of the ballot box." Complaint at 11-12. That claim is factually untrue,<sup>7</sup> and legally insubstantial. Defendant has authority only over elections in Harris County, and as Plaintiffs note, he is treating every Harris County voter identically. The fact that voters elsewhere are subject to different voting procedures does not mean the Harris County Clerk's identical treatment of every Harris County voter is a violation of equal protection. *Citizen Ctr. v. Gessler*, 770 F.3d 900, 917–19 (10th Cir. 2014). At least with respect to a county official, the Equal Protection Clause "requires only that each county treat similarly situated voters the same." *Id.* at 917. "In the absence of an allegation that [the Clerk] treated voters in a single county differently, [Plaintiffs have] failed to state a valid equal protection claim against" the Harris County Clerk. *Id.* at 919.

Plaintiffs rely on the per curiam majority opinion in *Gore*, but the Court noted that "[t]he question before the Court is not whether local entities, in the exercise of their expertise, may develop different systems for implementing elections." *Gore*, 531 U.S. at 109. Here, that is precisely the question—whether Texas counties may implement drive-through voting consistent with the Texas Election Code.

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<sup>7</sup> Plaintiffs are mistaken to assert that Harris County is the only county using drive-through voting. [http://users.neo.registeredsite.com/2/5/8/19955852/assets/EV\\_HOURS38404.pdf](http://users.neo.registeredsite.com/2/5/8/19955852/assets/EV_HOURS38404.pdf) (Calhoun Cty.).

This question, while undoubtedly important to the citizens of Texas, is not a matter of constitutional significance. *Gore* involved “a situation where a state court with the power to assure uniformity has ordered a statewide recount with minimal procedural safeguards.” *Id.* at 109. The Court held that the Florida Supreme Court had fashioned an ad hoc remedial scheme that lacked “the rudimentary requirements of equal treatment and fundamental fairness.” *Id.* This drive-through voting plan, which was carefully conceived and pre-approved by election officials, does not lack “the rudimentary requirements of equal treatment and fundamental fairness.” *Id.* Far from it: every Harris County voter is treated fairly and equally.

As the Proposed Intervenors have explained, *Gore* involved a situation in which counties were using “varying standards to determine what was a legal vote,” *id.* at 107, which meant that ballots were being “valued” differently. *Id.* at 104-05. That is not the case here; every ballot is being valued the same. *Wise v. Circosta*, No. 20-2104, 2020 WL 6156302, at \*5 (4th Cir. Oct. 20, 2020). The allegations in the complaint do not state a viable equal protection claim.

**D. Granting a preliminary injunction in the midst of the election would disserve the public interest.**

Finally, even if Plaintiffs could show a substantial likelihood of success and an irreparable injury—which they lack, since they have no individual injury at all—injunctive relief would be unwise because of the public interest in completing the election and avoiding politicization of the courts.

In preliminary injunction analysis, the third factor is whether the plaintiff's injury outweighs the threatened harm to the party to be enjoined; the fourth factor is whether granting a preliminary injunction will "not disserve" the public interest. *USI Sw.*, 2020 WL 2220573, at \*3 (Hanan, J.). "These factors merge when the Government is the opposing party." *Nken v. Holder*, 556 U.S. 418, 435 (2009).

Plaintiffs claim that in balancing the equities this Court should only consider the injury to them and argue there would be no harm to the Clerk. Doc. No. 4 at 12. But this argument ignores the severe harm to the public interest and the voters.

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). Plaintiffs' requested relief would affect 126,912 votes cast in early voting; those voters would lose their constitutional right to vote in this epochal election. Indeed, the Proposed Intervenors have provided affidavits from drive-through voters who voted in reliance on Harris County's authorization—one of whom is out of state and could not easily return now to cast a second ballot. *See* Doc. No. 13-1 at 18-19; Doc Nos. 13-7 to 13-11. They are the faces of more than 125,000 Texas citizens.

Courts have held repeatedly that disenfranchisement is an irreparable injury, tipping the balance powerfully against the most extreme injunctive relief requested by Plaintiffs. *See Obama for America v. Husted*, 697 F.3d 423, 436 (6th Cir. 2012); *Williams v. Salerno*, 792 F.2d 323, 326 (2d Cir. 1986).

Similarly, even if a preliminary injunction were limited to segregating the drive-through voting records and not counting them on Election Day—or even allowing the possibility that they might not be counted—the harm would be severe. All voters who have voted using the drive-through procedure would be left in limbo. As Proposed Intervenors point out, such voters realistically would be unable to cast a second ballot due to the possibility of criminal prosecution. *See* Doc. No. 13-1 (citing Tex. Elec. Code § 64.012). They would be left to wonder whether their votes would be counted. Confidence in the democratic process would be shaken. Thus, Plaintiffs are wrong to contend there is no countervailing harm.

Next, Plaintiffs claim that the public interest would be served by an injunction. On the contrary, the public interest favors non-interference with official procedures that were adopted and publicized by Harris County election officials months ago—including drive-through polling places. Avoiding voter confusion and disruption is “within the public interest given the extremely fast-approaching election date.” *Texas Democratic Party v. Abbott*, 961 F.3d 389, 412 (5th Cir. 2020).

Indeed, in analyzing this factor, both the Fifth Circuit and other courts have relied on the *Purcell* principle. Avoiding interference and alteration of election rules so close to the election date is an important priority in the public-interest analysis. *Id.*; *Wise*, 2020 WL 6156302, at \*7 (“the balance of equities is influenced heavily by *Purcell* and tilts against federal court intervention at this late stage”).

In summary, deference to publicly-elected officials is the appropriate course. The Clerk implemented drive-through voting after consultation and approval from the Secretary of State, and the Texas Supreme Court has twice declined to interfere. The fact that the final arbiter of the Texas Election Code found no justification for interfering with drive-through polling places—based on the same legal arguments—in the middle of the election is an unmistakable indication that the public interest is best served by allowing the election to proceed without interference.

### **CONCLUSION**

Plaintiffs' request for a preliminary injunction should be denied.



Respectfully submitted,

/s/ Richard Warren Mithoff

Richard Warren Mithoff

*Attorney of Record*

Texas Bar No. 14228500

Federal ID No. 2102

[rmithoff@mithofflaw.com](mailto:rmithoff@mithofflaw.com)

Janie L Jordan

Texas Bar No. 11012700

Federal ID No. 17407

[jjordan@mithofflaw.com](mailto:jjordan@mithofflaw.com)

Sherie Potts Beckman

Texas Bar No. 16182400

Federal ID No. 11098

[sbeckman@mithofflaw.com](mailto:sbeckman@mithofflaw.com)

MITHOFF LAW

500 Dallas Street, Suite 3450

Houston, Texas 77002

Telephone: (713) 654-1122

Facsimile: (713) 739-8085

OF COUNSEL:

Joseph R. Alexander, JR.

THE ALEXANDER FIRM, PLLC

Texas Bar No. 00995150

Federal ID No. 1368

Two Greenway Plaza, Suite 650

Houston, Texas 77046

Telephone: (713) 344-2094

Facsimile: (713) 513-5543

[joe@alexanderfirmpllc.com](mailto:joe@alexanderfirmpllc.com)

**ATTORNEYS FOR DEFENDANT**

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record via the Court's electronic filing system pursuant to the Federal Rules of Civil Procedure on November 1, 2020.

*/s/ Richard Warren Mithoff, Jr.*  
Richard Warren Mithoff, Jr.



# THE SUPREME COURT OF TEXAS

Orders Pronounced November 1, 2020

## MISCELLANEOUS

### THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

20-0863 IN RE STEVEN HOTZE, M.D., WENDELL CHAMPION, HON. STEVE TOTH, AND SHARON HEMPHILL

motion to exceed word limit granted

relators' emergency motion for temporary relief denied



# THE SUPREME COURT OF TEXAS

Orders Pronounced October 22, 2020

## ORDERS ON PETITIONS FOR REVIEW

### A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

20-0785 JETALL COMPANIES, INC. v. JPG WACO HERITAGE, LLC; from McLennan County; 7th Court of Appeals District (07-20-00126-CV, \_\_\_ SW3d \_\_\_, 06-20-20)  
petitioner's emergency motion to stay proceedings granted  
stay order issued

[**Note:** The petition for review remains pending before this Court.]

## MISCELLANEOUS

### THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

20-0800 IN RE JUAN GERARDO PEREZ PICHARDO AND PUBLIC INTEREST LEGAL FOUNDATION, INC.; 14th Court of Appeals District (14-20-00685-CV, \_\_\_ SW3d \_\_\_, 10-08-20)

Justice Devine notes his dissent to the Court's denial of the petition for writ of mandamus relief.

(Justice Boyd not participating)

20-0815 IN RE JUAN GERARDO PEREZ PICHARDO AND THE REPUBLICAN PARTY OF TEXAS; 14th Court of Appeals District (14-20-00697-CV, \_\_\_ SW3d \_\_\_, 10-14-20)

as amended

Justice Devine notes his dissent to the Court's denial of the petition for writ of mandamus relief.  
*See* opinion issued in cause 20-0739, *In re Steven Hotze, M.D., et al.*

(Justice Guzman and Justice Boyd not participating)

20-0819 IN RE STEVEN HOTZE, M.D., HARRIS COUNTY REPUBLICAN PARTY, KEITH NIELSEN, AND SHARON HEMPHILL

**Exhibit 2**

Justice Devine delivered a dissent to the Court's denial of mandamus relief and emergency stay.

*See* opinion issued in cause 20-0739, *In re Steven Hotze, M.D., et al.*

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

20-0830 IN RE ELIZABETH BIESEL, LAURA BIESEL, MEG BAKICH, LISA BURROUGHS &  
LYNN DAVENPORT

Justice Devine notes his dissent to the Court's denial of the petition for writ of mandamus relief.

NO. \_\_\_\_\_

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# In the Supreme Court of Texas

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IN RE STEVEN HOTZE, M.D., WENDELL CHAMPION, HON. STEVE TOTH,  
AND SHARON HEMPHILL,

*Relators,*

---

**On Petition for Writ of Mandamus to the Harris County Clerk**

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**PETITION FOR WRIT OF MANDAMUS**

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JARED WOODFILL  
Woodfill Law Firm, P.C.  
State Bar No. 00788715  
3 Riverway, Ste. 750  
Houston, Texas 77056  
(713) 751-3080 (Telephone)  
(713) 751-3058 (Facsimile)  
woodfillservice@gmail.com

*Counsel for Relators*

## Identity of Parties and Counsel

### 1. Relators

Steven F. Hotze, MD  
[REDACTED]

Katy, Texas 77450 (Harris County)

Dr. Hotze is a registered voter in Harris County and will be voting in the general election.

Hon. Steve Toth  
[REDACTED]

Conroe, Texas 77384.

State Representative Toth is a member of the Texas House of Representatives, representing District 15. Representative Toth is on the November 3, 2020 ballot.

Wendell Champion  
[REDACTED]

Houston, Texas 77002

Mr. Champion is the Republican nominee for Texas' 18<sup>th</sup> Congressional District, Texas. He is on the ballot in the general election on November 3, 2020.

Sharon Hemphill  
[REDACTED]

Spring, Texas 77379

Sharon Hemphill is a registered voter in Harris County. Sharon Hemphill is the Republican nominee for judge of the Texas 80th District Court, Harris County, Texas. She is on the ballot in the general election on November 3, 2020. She advanced from the Republican primary on March 3, 2020.

*Lawyer for Relators:*

Jared R. Woodfill

State Bar No. 00788715  
3 Riverway, Ste. 750  
Houston, Texas 77056  
Tel: (713) 751-3080  
Fax: (713) 751-3058  
woodfillservice@gmail.com

**2. Respondent**

Hon. Chris Hollins  
Harris County Clerk  
201 Caroline Street, Suite 310  
Houston, Texas 77002

*Lawyer for Respondent Hollins:*

Vince Ryan  
Office of the Harris County Attorney  
1019 Congress, 15<sup>th</sup> Floor  
Houston, Texas 77002  
vince.ryan@cao.hctx.net



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## Statement of the Case

### Nature of the Case

Respondent Harris County Clerk Chris Hollins' Offices created a new "manner" of voting in Harris County, "drive-thru" voting. Drive-thru voting is not recognized in the Texas Election Code. Hollins' drive-thru voting scheme allows any and all Harris County registered voters – regardless of whether they are permitted to do so under the Texas Election Code – to engage in early and election day "drive-thru" voting. Hollins who is a Democrat and currently serves as Deputy Vice-Chair of Finance for the Democratic Party of Texas, has identified ten (10) drive-thru voting locations and placed nine (9) of the locations in heavily Democratic areas. [App. \_\_\_\_]

Through the Texas Election Code, the Legislature chose not to recognize drive-thru voting; however, the Texas Legislature did expressly create a narrowly defined exception to voting in person for those who are physically unable to enter the polling place without personal assistance or likelihood of injuring the voter health - "curb-side voting." Tex. Elect. Code §§64.009, 82.02, and 104.001-104.005.

The Legislature restricted curbside voting to three distinct categories: (i) presents sick at the time of the vote; (ii) a voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling

location would create a likelihood of injuring the voter's health. *Id.* Additionally, if a voter qualifies as disabled under Texas Election Code § 82.002 the voter is eligible to vote by mail. This Court recently held that a voter's lack of immunity to COVID-19, without more, is not a "disability" as defined by the Election Code, and therefore, is not a sufficient basis to permit a voter to validly vote by mail. *In re State*, 602 S.W.3d 549, 550 (Tex. 2020) (a voter's general fear or lack of immunity from COVID-19 is not a "disability" as defined by the Election Code).

By indiscriminately encouraging and allowing any and all Harris County registered voters to cast their ballots curbside on this invalid basis, Respondent's ultra vires act regarding drive-thru voting is a violation of state and federal law and must be stopped. By circumventing the Texas Legislature and implementing a manner of voting not recognized in the Texas Election Code, Respondent is violating Art. I, section IV, clause 1 of the United States Constitution. Additionally, by adopting a manner of voting that is inconsistent with the Texas Election Code and not adopted by any other county in Texas, Respondent is violating the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

Accordingly, Relators seek mandamus relief to compel Respondent to perform his nondiscretionary, ministerial duties to restrict curbside voting to only those Harris County registered voters who have submitted sworn applications which



facially satisfy at least one of the specific categories permitting curbside voting under the Texas Election Code.

### **Respondent**

Chris Hollins, in his official capacity as the Harris County Clerk, who, under Section 83.002 of the Texas Election Code (early voting) and Section 104.001 of the Texas Election Code (election day voting), is designated as the “Early Voting Clerk.”

### **Relief Requested**

Respondent should be required to stop drive-thru voting and only allow curbside voting for registered voters in Harris County who have submitted the required sworn application to vote curbside or who submitted an application which facially satisfies any of the required criteria for curbside voting.

On Saturday, October 31, 2020, all the Judge’s Booth Controllers (“JBC”) from early voting will be delivered to central count at NRG. [App. \_\_\_\_]. Seals will be broken and the memory cards - Mobile Ballot Box (“MBB”) will be accessed to count the number of ballots contained in each MBB-not tally the vote. [App. A]. On the morning of November 3, 2020, the same MBBs will be connected to the Tally machine to download the actual ballots contained. [App. A]. The Tally machine will then conduct the counting/tabulation process for early votes utilizing the drive thru process. [App. A]. After 7:00 p.m. on November 3, 2020, Respondent will enter

the MBBs from election day votes at drive thru location into the Tally machine to conducting the counting/tabulation of election day votes at drive-thru locations. [App. A]. Accordingly, Relators are asking this Court to require all memory cards from the ten (10) drive-thru voting locations be secured and not entered or downloaded into the Tally machine until this Court issues an order on Relators' Petition for Writ of Mandamus.

### Statement of Jurisdiction

Texas Election Code §273.061 gives the Court original jurisdiction to issue a writ of mandamus “to compel the performance of any duty imposed by law in connection with the holding of an election.” The Relators have a compelling reason to request mandamus from this Court in the first instance. *See* Tex. R. App. P. 52.3. The November 3<sup>rd</sup>, 2020 general election is quickly approaching and Respondent is allowing drive-thru voting for all voters regardless of whether the voter: (i) is sick at the time of the vote; (ii) has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter’s health. Tex. Elec. Code §§ 64.009, 82.02 and 104.001-005.

This Court has stated "that an election in this state is not a single event, but a *process*, and that the entire *process* is subject to contest." *Dickson v. Strickland*, 265 S.W. 1012, 1018 (Tex. 1924). This case involves the enforcement by mandamus of duties involved with the "holding of an election," an election being the *entire process* including the date early voting begins and when a voter can deliver a marked ballot by mail in person to the early voting clerk’s office. *Grant v. Ammerman*, 437 S.W.2d 547, 548-49 (Tex. 1969). Mandamus will lie to enforce ministerial duties arising in connection with an election. *Id.*

In this Petition for Writ of Mandamus, Relators are challenging the *process* of the election, i.e., the manner in which the Respondent is implementing a drive-thru voting scheme that is not recognized under the Texas Election Code. Relators include federal and state candidates on the November 3, 2020 ballot in Harris County, Texas, (Wendell Champion, Hon. Steve Toth, and Sharon Hemphill) and a voter/activist (Dr. Steven Hotze).

Relators ask the Court to use the power granted by the Election Code “to compel the performance of any duty imposed by law in connection with the holding of an election.” Tex. Elec. Code § 273.061.

When time is of the essence, this Court has not hesitated to exercise its mandamus authority. *See, e.g., In re Woodfill*, 470 S.W.3d 473, 481 (Tex. 2015) (per curiam); *In re Carlisle*, 209 S.W.3d 93, 95-96 (Tex. 2006) (per curiam); *In re Tex. Senate*, 36 S.W.3d 119, 121 (Tex. 2000); *Sears v. Bayoud*, 786 S.W.2d 248, 250 & n.1 (Tex. 1990). The Court should exercise its original mandamus authority again in that Hollins illegal actions have begun and will continue through election day.

### **Statement of the Issues Presented**

1. Does Respondent Hollins' drive-thru voting violate Article I, Section IV, Clause 1 of the United States Constitution in that Hollins redefines the manner of conducting elections in Harris County contrary to the Texas Election Code?
2. Does Respondent Hollins' drive-thru voting violate the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution?
3. Is Respondent failing to perform his nondiscretionary, ministerial duties by encouraging and permitting Harris County registered voters to cast their ballots curbside/drive-thru even though they do not satisfy any of the three specific categories permitting curbside voting under the Texas Election Code?

## Introduction

Under Section 83.002 of the Texas Election Code, Respondent has the responsibility of enforcing the election laws to ensure a fair and honest election in Harris County. Despite the fact that the Texas Election Code restricts curbside voting to specific and narrowly defined categories of voters, and fails to recognize drive-thru voting, Respondent has implemented a drive-thru voting scheme that is violating the law. Respondent abusing the COVID-19 pandemic as his pretext – of permitting any and all Harris County registered voters to vote curbside or as Hollins terms it-drive-thru. On May 15, 2020, the Texas Supreme Court rejected Respondent’s contention that a voter’s lack of immunity from COVID-19 and concern about contracting it at a polling place constitutes a “disability” within the meaning of the statute permitting a voter to cast a ballot by mail. *In re State*, 602 S.W.3d 549, 550 (Tex. 2020). The exact same rationale applies with equal force to Respondent’s latest attempt to ignore the narrow confines of the carefully defined standards for the three types of situations where a voter may properly vote curbside under the Texas Election Code. None of those instances are satisfied by a voter’s lack of immunity to COVID-19, or by a generalized subjective fear of contracting a virus, or by a desire for “convenience” or to enjoy the “comfort” of one’s vehicle while voting. Unless stopped, illegal votes will be cast and counted in direct

violation of the Texas Election Code and the United States Constitution and result in the integrity of elections in Harris County being compromised.

## Statement of Facts

### **I. Respondent Hollins' Ministerial Duties Under the Texas Election Code**

As the early voting clerk for Harris County, Respondent has the responsibility of enforcing the election laws to ensure a fair and honest election in Harris County. One of the statutory election mandates for which Respondent Hollins is responsible deals with curbside voting. This is a method of voting whereby a qualifying voter may vote from a vehicle in lieu of coming inside to vote at a polling location. In order to take advantage of curbside voting, a registered voter must prepare and sign a sworn application. The application is similar to the application for vote by mail, and a voter must affirmatively check specific boxes on the form in order to facially demonstrate to the Early Voting Clerk (Respondent Hollins) compliance with the curbside voting statutes under the Texas Election Code.

Under Texas Election Code, curbside voting is restricted to distinct categories: (i) the voter is sick at the time of the vote; (ii) the voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter's health. Tex. Elec. Code §§ 64.009, 82.02 and 104.001-005.

Despite the fact that the Texas Election Code restricts curbside voting to specific and narrowly defined categories of voters, Respondent— using the COVID-



19 pandemic as his pretext – is permitting any and all Harris County registered voters to vote curbside or drive-thru and vote.

**II. Respondent Hollins Is Permitting Countywide Drive-Thru Voting In Direct Violation of the Texas Election Code**

Respondent Hollins has implemented a countywide “drive-thru” voting program for every registered voter in Harris County. A true and correct transcription of the pertinent excerpt from a press conference where Respondent Hollins identifies the program is attached to the Appendix to this Mandamus Petition. See App. B At 5-6. Beginning at the 4-minute mark, and continuing on to 4:33, Respondent Hollins said the following:

“Drive-thru voting is an option for all voters who would like to be able to vote from the safety and comfort of your vehicle. Drive-thru voting allows those who don’t qualify to vote by mail to minimize your exposure to other voters and to election workers. While we hope to have short lines across the county, drive-thru voters waiting in line will be able to wait in the comfort of your vehicle where you can listen to the radio or converse with loved ones until you are pointed to your drive-thru voting booth. We hope that Harris County voters will consider utilizing drive-thru voting.”

See App. B At 5-6. Hollins’ position is that anyone and everyone may vote curbside in Harris County should they wish to do so.

Because Respondent Hollins is allowing Harris County Registered voters to vote curbside (drive-thru) without regard to whether they are eligible to vote curbside, and because of the very clear threat of imminent harm which will result from ineligible curbside voting taking place in violation of the Texas Election Code and

the United States Constitution, Relators bring this Mandamus Petition to mandate compliance by the Respondent with his clear and non-discretionary ministerial duties.

## **Argument**

### **I. Hollins is Violating the United States Constitution**

Respondent Hollins' drive-thru voting scheme violates Article I, Section IV, Clause 1 of the United States Constitution in that Hollins redefines the manner of conducting elections in Harris County contrary to the Texas Election Code. Additionally, Hollins violates the Fourteenth Amendment's Equal Protection Clause by adopting a manner of voting in Harris County that has not been adopted by other Texas' counties.

#### **A. The Election Clause Requires this Court to Uphold the Manner of Voting Defined by the Legislature in the Texas Election Code**

The Constitution's Elections Clause directs that "[t]he Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof," subject to the directives of Congress. U.S. Const. Art. I, § 4, Cl. 1.

Because federal offices "arise from the Constitution itself," any "state authority to regulate election to those offices . . . had to be delegated to, rather than reserved by, the States." *Cook v. Gralike*, 531 U.S. 510, 522 (2001). The

Constitution effected such delegations to State Legislatures through the Electors and Elections Clauses. See U.S. Const. Art. II, § 1, Cl. 2; *id.* Art. I, § 4, Cl. 1. The Elections Clause vests State Legislatures, subject to Congress’s enactments, with authority “to provide a complete code for congressional elections.” *Smiley v. Holm*, 285 U.S. 355, 366 (1932); see also *Ariz. State Legislature v. Ariz. Indep. Redistricting Comm’n*, 576 U.S. 787, 826 (2015) (Roberts, C.J., dissenting) (noting that the Elections Clause “imposes a duty on States and assigns that duty to a particular state actor”). This “broad power to prescribe the procedural mechanisms for holding congressional elections,” *Cook v. Granlike*, 531 U.S. 510, 523 (2001) (internal quotation marks omitted), includes authority to enact “the numerous requirements as to the procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved,” *Smiley*, 285 U.S. at 366; *Cook*, 531 U.S. at 523–24; see also *Storer v. Brown*, 415 U.S. 724, 730 (1974) (stating that state legislatures may enact election laws in order to ensure that elections are “fair and honest” and that “some sort of order, rather than chaos, is to accompany the democratic process”). This sweeping grant of authority means that “the text of [state] election law itself, and not just its interpretation by the courts of the States, takes on independent significance,” *Bush v. Gore*, 531 U.S. 98, 112–13 (2000) (Rehnquist, C.J., concurring), and the federal Constitution “operate[s] as a limitation upon the State in respect of any attempt to circumscribe the [delegated]

legislative power,” *Palm Beach Cnty.*, 531 U.S. at 76; *McPherson*, 146 U.S. at 25. The United States Supreme Court has made it clear that “[a] significant departure from the legislative scheme for electing U.S. Representatives—including when such departure is carried out by the state judiciary—thus presents a federal constitutional question.” *Bush*, 531 U.S. at 113 (Rehnquist, C.J., concurring); see also *Palm Beach Cnty.*, 531 U.S. at 76; *McPherson*, 146 U.S. at 25.

Here, the Texas Legislature has created a detailed statutory scheme related to curbside voting to govern the conduct of federal elections. Respondent Hollins has significantly departed from the legislative scheme regarding curbside voting. By allowing Hollins to significantly alter the manner of voting that has not been prescribed by the Legislature, Hollins’ drive-thru voting scheme violates the United States Constitution Art. I, § 4, Cl. 1. Relators requests this Court stop Hollins from rewriting an integral part of the Texas Election Code’s comprehensive scheme for regulating the manner for conducting federal elections.

**1. The Texas Election Code Should Be Strictly Construed**

“This Court has stated in no uncertain terms that county election officials possess only those powers ‘granted in express words’ or ‘necessarily or fairly implied in an express grant.’” *In re Hotze*, No. 20-0819 (October 22, 2020) (Devine, J., dissenting, quoting *State v. Hollins*, No. 20-0729, 2020 WL 5919729, at \*4 (Tex.

Oct. 7, 2020) (per curiam) (internal quotations omitted)). As Justice Devine writes in his dissent in *In re Hotze*, “These implied powers are themselves narrow—they must be ‘indispensable,’ ‘not simply convenient.’” *Id.* The powers are governed by a “lengthy, detailed, and comprehensive Election Code.” *Id.* at \*2. Hollins acts are outside the scope of the Election Code and constitute ultra vires conduct that undermine the integrity of the election process. *See Richardson v. Hughs*, No. 20-50774, 2020 WL 6127721, at \*1–2 (5th Cir. Oct. 19, 2020). “Though certain enumerated powers may create a narrow range of implied powers, the Legislature’s silence on an issue raises the presumption that it has not granted that power.” *In re Hotze*, No. 20-0819 (October 22, 2020) (Devine, J., dissenting). Nothing in the Texas Election Code allows for Hollins’ drive-thru voting.

## **2. Hollins Attempts to Redefine Polling Location**

Under Respondent Hollins’ drive-thru voting scheme, a car is turned into a polling location. Specifically, to drive-thru vote, the voter never exits the vehicle. Instead, the voter sits in their car as the e-slate is hand delivered to the voter who then cast their vote within the confines of their vehicle. It should be noted that many times these votes are cast by numerous people in one car, eliminating the confidentiality surrounding one’s vote. The garages, tents, canopies, and other “coverings” the car drives into are not the actual polling location -the polling place is the car. The e-slate is physically placed in the car, the vote is cast in the car, and

the voter remains in the car. [App. C]. The voter never physically exits the car. [App. C]. A car is not a polling place. If a car is a polling place, Harris County now has millions of voting locations around the county that change locations throughout the day. Attached, as App. C, are photos of voters utilizing “drive-thru” voting.

The Election Code mandates that a registered voter cast a ballot in a “voting station” at a “polling place.” *See* TEX. ELEC. CODE §§ 64.001, .009(a). Qualified individuals may request their ballot curbside in a vehicle on election day and throughout the early voting period. *Id.* § 64.009(a). This exception applies only to those physically unable to enter the polling place without assistance or for whom a likelihood of injury exists. *Id.*; see also *In re State*, 602 S.W.3d 549, 550 (Tex. 2020) (a voter’s general fear or lack of immunity from COVID-19 is not a “disability” as defined by the Election Code). Otherwise, voting is to take place in a “polling place.” TEX. ELEC. CODE § 64.009(a). Respondent has previously argued that rows of semi-permanent tents where election officers stand awaiting dozens of cars, inside of which any voter may cast a ballot, qualify as a “polling place.” In his dissent in *In re Hotze*, Justice Devine rejects Hollins’ definition, stating, “I struggle to see how the Election Code contemplates such a novel concoction. Hollins stretches the text of the Code beyond its historical and common-sense understanding.” *In re Hotze*, No. 20-0819 (October 22, 2020) (Devine, J., dissenting).

The Texas Election Code states that polling locations “may be located in any stationary structure,” including a “movable structure.” *Id.* § 85.062(b). Hollins has previously argued that these “tents” satisfy the requirements of movable structure. However, as Justice Devine has stated, “[T]he Texas Election Code likely contemplates that ‘structure’ is a place one enters to get to the polling place; the structure itself is not the polling place.” *In re Hotze*, No. 20-0819 (October 22, 2020) (Devine, J. dissenting). The Texas Election Code prohibits electioneering “within 100 feet of an outside door through which a voter may enter the building or structure in which the early voting polling place is located.” Texas Elec. Code § 85.036(a) (emphasis added). As Justice Devine has previously identified, “The prepositional phrase ‘in which’ indicates that the polling place is to be inside of a building or structure. The structure itself cannot be the polling place and the voting station rolled into one. Even harder to understand is how one’s vehicle could qualify as a ‘polling place,’ as it is not a ‘structure’ as commonly understood. Nor can one’s vehicle be a ‘voting station,’ which is a specific location designated for voters to cast a ballot. Station, WEBSTER’S NEW COLLEGIATE DICTIONARY (1975) (“[A] place established to provide a public service.” (emphasis added)).” *Id.* Hollins’ expansion of the statute manifests itself in the absurd result that every voter’s vehicle is a “polling place” or “voting station.” *Id.*

**3. Texas Attorney General Recently Addressed Drive-Thru Voting**

On October 16, 2020, Attorney General Ken Paxton addressed the issue of “drive-thru” voting. [App. D]. In the letter General Paxton states, among other things, that Texas Election Code “makes no provision for ‘drive-thru’ voting centers at which any voter may cast a ballot from his or her vehicle.” [App. D].

**4. The Texas Legislature has Rejected “Drive-Thru” Voting**

Legislators have previously attempted to amend the Texas Election Code to allow a form of Respondent Hollins’ “drive-thru” voting scheme. During the 2019 legislative session, legislation was proposed to allow polling places to accommodate parents with young children, HB 2898. [App. E]. Because Texas law required curbside voting for people with disabilities, HB 2898 left it up to local election officials to decide whether to offer curbside voting for parents with young children. [App. E]. The bill also created a study to be performed by the Texas Secretary of State’s office that would evaluate the best practices for curbside voting for people with children and report it to the legislature by December 2020. [App. E]. The Texas House approved the bill that supporters believed would increase voter turnout by allowing parents with children younger than five (5) years old to participate in curbside voting. The argument is similar to that made by Respondent Hollins as a justification for his drive-thru voting scheme. On May 8, 2019, the House gave the bill final approval in a 90-52 vote. However, the Texas Senate failed to pass the bill.



Here, Hollins is asking this Court to implement a form of “drive-thru” voting that is much broader than one previously rejected by the Legislature. A pandemic should not be a license for this Court to turn into a super-legislature. If the Texas Legislature has effectively rejected Hollins’ scheme, so too should this Court.

**5. Drive-Thru Voting Locations Placed in Democratic Strongholds**

Nine of the ten “drive-thru” voting locations in Harris County are placed in areas that vote heavily Democratic. [App. G]. State Sen. Paul Bettencourt (R-Houston) recently noted nine of the 10 drive-thru voting locations are in Democrat areas of the county, adding that “nothing in the Texas election code allows Mr. Hollins to do this setup.” Erin Anderson, *Texas AG: Legal Action for Unlawful Drive-Thru Voting*, Texas Scorecard, October 20, 2020.

**6. Over 100,000 Illegal Drive-Thru Votes Have Been Cast**

Harris County accounts for nearly 15 percent of all registered voters in Texas. To date, over 100,000 “drive-thru” votes have been cast. [App. F].

**B. Hollins’ Drive-Thru Voting Scheme Violates the Fourteenth Amendment**

The Fourteenth Amendment to the United States Constitution provides, "No State shall... deny to any person..., the equal protection of the laws." USCS Const. Amend. 14, § 1. Harris County is the only Texas County that has adopted drive-thru voting. [App. A]. By using different criteria for voting and allowing a new form

of voting to occur in only in Harris County, Hollins is violating the Equal Protection Clause. *Bush v. Gore*, 531 U.S. 98 (2000). Hollins violates the Equal Protection Clause, in that Harris County, unlike other counties, surrenders the safeguards associated with curb-side voting while other counties maintain the integrity of the ballot box by complying with the strict requirements imposed by the Texas Legislature in §§ 64.009, 82.02, and 104.001-104.005 of the Texas Election Code.

The Supreme Court’s per curiam majority opinion in *Bush v. Gore* eviscerated the distinction between nuts-and-bolts questions and big picture questions by holding that Florida law, at least as construed by the Florida Supreme Court, violated the Equal Protection Clause of the Fourteenth Amendment. 531 U.S. 98 (2000). The Court held that a state violates equal protection when it fails to have uniform standards for the recounting of votes during a statewide election contest. *Id.* at 109. The opinion makes it clear that disparity regarding the means of voting is a justiciable question. Here, Hollins has implemented a form of voting that is unique to Harris County and differs from the remaining 253 counties in the state of Texas.

**II. 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.

**A. Respondent Hollins Has a Ministerial Duty to Review Each Sworn Application in Order to Verify that the Applicant Has Supplied All of the Required Information to Permit Curbside Voting.**

Because Section 64.009 of the Texas Election Code permits curbside voting under limited circumstances during Early Voting, Respondent Hollins’ duties as the Early Voting Clerk include the enforcement of curbside voting during Early Voting. In order to enable an eligible voter to legally vote curbside, the registered voter must submit a sworn application for ballot similar to the application for a ballot by mail described in Section 84.001 (Eligible voter must make an application for an early voting ballot to be voted by mail).

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 sworn application satisfies the criteria set forth in the Texas Election Code to permit a specific voter to vote curbside during both Early Voting and Election Day voting.

**B. Respondent Hollins Has a Ministerial Duty to Reject an Application for Curbside Voting That does No Contain the Required Information to Permit Curbside Voting.**

Under Texas Election Code Sections 64.009, 82.02, and 104.001, curbside voting is restricted to three distinct categories: (i) a voter is presently sick at the time of the vote; (ii) a voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter's health. Respondent Hollins, however, has announced his policy to permit *any registered Harris County voter* to cast their ballot via drive-thru voting. This illegal policy, which is grounded on the dubious notion that a lack of immunity from COVID-19 justifies a wholesale repudiation of the Texas Election Code, *has already been expressly rejected by the Texas Supreme Court. In re State*, 602 S.W.3d 549 (Tex. 2020). Rejecting Respondent Hollins' argument in that case that a voter's lack of immunity from the disease and concern about contracting it a polling place justifies a voter's choice to cast a ballot by mail, the Supreme Court made clear that a generalized fear of contracting a virus would not, standing alone, be sufficient to trigger a statutory right to vote by mail.

The Court's reasoning in *In re State*, 602 S.W.3d 549 (Tex. 2020), applies Respondent's allowing curbside voting for anyone who wants to vote curbside. The "disability" language contained in Section 82.002(a) regarding ballots by mail tracks the same language as is contained in Sections 64, 82, and 104 regarding curbside voting. Under Texas Election Code Sections 64.009, 82.02, and 104.001, curbside voting is restricted to three distinct categories: (i) a voter is presently sick at the time

of the vote; (ii) a voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter's health. It is abundantly clear that Respondent Hollins may not, consistent with his ministerial duties to comply with the Texas Election Code, permit registered Harris County voters to engage in drive-thru voting who do not satisfy one or more of the statutorily prescribed exceptions to voting inside the polling place.

The obligation to reject insufficient applications to vote curbside is not discretionary; it is mandatory. *See In re Robinson*, 175 S.W.3d at 830. The duty to challenge ineligible curbside voting is not discretionary; it is mandatory. *Id.*

**III. Respondent Hollins is Permitting Curbside Voting to Voters Not Entitled to Vote Curbside in Breach of His Ministerial Duties under the Texas Election Code.**

Hollins is allowing curbside/drive-thru voting for all 2.37 million registered voters in Harris County. This is a clear and direct violation of his duties to enforce the Texas Election Code and the United States Constitution. Respondent Hollins has a non-discretionary, ministerial duty to limit curbside voting solely to those registered voters who submit facially valid sworn applications to vote curbside. All other requests to vote curbside must be denied. "Failure to perform his duty subjects [Respondent Hollins] to mandamus." *Bejarano v. Hunter*, 899 S.W.2d 346, 350 (Tex. App. 1995). Absent an order compelling Respondent Hollins to comply with

his ministerial duties under the Texas Election Code, ineligible applicants and/or facially invalid sworn applications will be approved.

**IV. Relators Are Being Harmed, Have Standing, and Will Continue to be Harmed, Absent Relief.**

Respondent Hollins' non-compliance with the law is harming the interests of Relators. With respect to Relator Hotze, he has standing because he is threatened with a violation of his right to vote. Relator Champion is the Republican nominee for the 18<sup>th</sup> District, Harris County, Texas. Hollins illegal vote scheme results in votes being illegally cast in his race for the United States Congress. Relator Hemphill is also on the November 3, 2020 general election ballot for District Judge in Harris County, Texas. Hollins illegal vote scheme results in votes being illegally cast in her race for the 80<sup>th</sup> Judicial District Court. Representative Steve Toth is a member of the Texas Legislature and is also on the November 3, 2020 general election ballot. As a member of the State Legislature, Hollins is usurping his authority as a lawmaker by creating a voting scheme that was not adopted by the Texas Legislature.

“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 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)). Relators object to the casting and to the counting of any ineligible or illegal curbside voting, as the consequence of permitting such activity hurts not only the integrity and the reported outcomes of the election for all of the candidates and all of the voters who voted, but it could also dilute or otherwise diminish and cancel Relators casting of a legal vote for the candidates of their choice in the General Election.

**V. Relators Have No Other Adequate Remedy.**

Texas Election Code Section 273.081 allows “injunctive relief” to “prevent” violations from occurring. Relators seek injunctive relief prohibiting Respondent Hollins from engaging in his illegal “drive-thru” voting programs. Alternatively, Relators seek affirmative compliance with ministerial duties.

**Prayer**

For these reasons, Realtors respectfully request that the Court grant this Petition for Writ of Mandamus and enter an order compelling Respondent Hollins to do the following:

1. Relators request this Court to require all memory cards from the ten (10) drive-thru voting locations be secured and not entered or downloaded into

the Tally machine until this Court issues an order on Relators' Petition for Writ of Mandamus.

2. Relators request the Court reject any votes it finds were cast in violation of the Texas Election Code.
3. Review all curbside voting applications submitted by an person requesting to vote curbside during either Early Voting or Election Day Voting in Harris County for facial compliance with Texas Election Code sections 64.009, 82.002, and 1104.001-104.005, as required by the Texas Election Code Sections 83.002 and 014.001;
4. Reject all curbside voting applications submitted by any person requesting to vote curbside during either Early Voting or Election Day Voting in Harris County which lack facial compliance with Texas Election Code Sections 64.009, 82.002, and 104.001-104.005, as required by the Texas Election Code Sections 83.002 and 104.001; and
5. Reject any curbside voting efforts during either Early Voting or Election Day Voting in Harris County which are not in compliance with Texas Election Code Sections 64.009, 82.002, and 104.001-104.004, as required by the Texas Election Code Sections 83.002 and 104.001.

Dated:       October 27, 2020



Respectfully submitted,

/s/ Jared R. Woodfill

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JARED R. WOODFILL  
State Bar No. 00788715  
Woodfill Law Firm, P.C.  
3 Riverway, Suite 750  
Houston, Texas 77056  
P:(713) 751-3080  
Fax: (713) 751-3058  
woodfillservice@gmail.com  
*Counsel for Relators*

**CERTIFICATE OF SERVICE**

By affixing my signature above, I, Jared Woodfill, hereby certify that a true and correct copy of the above Original Petition for Writ of Mandamus has been delivered via electronic mail to the parties below on the 27<sup>th</sup> day of October, 2020.

/s/Jared Woodfill

Jared Woodfill

**TRAP 52.3(J) CERTIFICATION**

Pursuant to TRAP 52.3(j), the undersigned certifies that he has reviewed the above Petition for Writ of Mandamus and concluded that every factual statement in the petition is supported by competent evidence included in the appendix and or the record.

/s/ Jared Woodfill

Jared Woodfill

## CERTIFICATE OF COMPLIANCE

I, Jared Woodfill, Counsel for Relators certify that this document was generated by a computer using Microsoft Word which indicates that the word count of this document is 4,077. The typeset is Times New Roman 14 pt for text.

/s/ Jared Woodfill

Jared Woodfill

**No. 20-0863**

# In the Supreme Court of Texas

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**IN RE STEVEN HOTZE, M.D., WENDALL CHAMPION, HON. STEVE TOTH, AND  
SHARON HEMPHILL,**  
*Relators.*

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**On Petition for a Writ of Mandamus  
to the Harris County Clerk**

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**HARRIS COUNTY CLERK CHRIS HOLLINS'S RESPONSE TO  
PETITION FOR WRIT OF MANDAMUS AND EMERGENCY  
MOTION FOR TEMPORARY RELIEF**

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Vince Ryan  
Harris County Attorney  
State Bar No. 17489500  
Terence O'Rourke  
Special Counsel  
State Bar No. 15311000  
Cameron A. Hatzel  
Assistant County Attorney  
State Bar No. 24074373  
Seth Hopkins  
Assistant County Attorney  
State Bar No. 24032435  
Susannah Mitcham  
1019 Congress, 15th Floor  
Houston, Texas 77002  
Telephone: (713) 274-5376  
Telecopier: (713) 755-8924

Susan Hays  
Law Office of Susan Hays, PC  
State Bar No. 24002249  
P.O. Box 41647  
Austin, Texas 78704  
Telephone: (214) 557-4819  
Telecopier: (214) 432-8273  
hayslaw@me.com  
*Lead Counsel*

*Counsel for Respondent Chris Hollins, Harris County Clerk*

**Exhibit 4**

## IDENTITY OF PARTIES AND COUNSEL

Juan Gerardo Perez Pichardo and the  
Republican Party of Texas and Stan  
Stanart  
(Relators, No. 20-0815)

Andy Taylor  
Andy Taylor & Associates, P.C.  
2628 Highway 36S, #288  
Brenham, Texas 77833

Steven Hotze, M.D., Harris County  
Republican Party, Sharon Hemphill  
and Keith Nielsen  
(Relators, No. 20-0819)

Jared R. Woodfill  
Woodfill Law Firm, P.C.  
3 Riverway, Suite 750  
Houston, Texas 77056

Chris Hollins, Harris County Clerk  
(Respondent)

Susan Hays  
Law Office of Susan Hays, PC  
P.O. Box 41647  
Austin, Texas 78704  
hayslaw@me.com  
*Lead Counsel*

Vince Ryan  
Harris County Attorney  
Terence O'Rourke  
Special Counsel  
Cameron A. Hatzel  
Assistant County Attorney  
cameron.hatzel@cao.hctx.net  
Seth Hopkins  
seth.hopkins@cao.hctx.net  
Assistant County Attorney  
Susannah Mitcham\*  
1019 Congress, 15th Floor  
Houston, Texas 77002

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\* Ms. Mitcham was admitted and sworn into the State Bar of Texas today, October 30, and her bar number is not yet available.

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## STATEMENT OF THE CASE

<i>Nature of the Case</i>	Election petition for writ of mandamus asserting that Chris Hollins, the Harris County Clerk, is violating the law by providing drive-thru voting without requiring “curbside voting applications” and thus violating the Elections Clause and Equal Protection.
<i>Relators:</i>	Steven Hotze, M.D. (voter), Wendell Champion (candidate), Sharon Hemphill (candidate), and the Hon. Steve Toth (legislator), filed October 27, 2020 (collectively “Hotze” or “Relators”)
<i>Respondent:</i>	Chris Hollins, Harris County Clerk
<i>Respondent’s action from which Relators seek relief:</i>	Providing drive-thru polling locations pursuant to a Commissioners Court order
<i>Real Party in Interest:</i>	Voters of Harris County

## STATEMENT OF JURISDICTION

While Texas courts may have jurisdiction to issue certain injunctive relief for election law violations, that jurisdiction does not include all forms of relief or the power to interfere with the “entire process” of an election. *See* Pet. at 5-6; TEX. ELEC. CODE § 273.061. Hotze seeks the relief of preventing the counting of votes and rejecting votes. Pet. at 25-26. This Court does not have jurisdiction to grant that form of relief. *See Carter v. Thompson*, 227 S.W.2d 795 (Tex. 1950). That relief is limited to election contests:

The power to enact laws regulating contested elections rests with the Legislature, and the statutes enacted must be looked to in order to find the provisions controlling the trial of contested election suits. If such statutes provide a method of procedure, that method is final and exclusive, and the courts are limited to such procedure.

*Id.* at 12. The canvassing of election returns may not be interfered with by the judiciary outside of an election contest. *City of Austin v. Thompson*, 219 S.W.2d 57, 59-60 (Tex. 1949) (separation of powers “should constrain the courts to caution and certainty when their authority is invoked against the determination of the popular will”) (quoting *City of Dallas v. Dallas Consolidated Elec. St. Ry. Co.*, 148 S.W.2d 292, 105 Tex. 337 (1912)); *see also Moore v. Edna Hospital Dist.*, 449 S.W.2d 508, 521 (Tex. App. – Corpus Christi 1969, writ ref’d n.r.e.) (discussing history of court jurisdiction over election contests and noting that the statutory framework is “designed to be final, exclusive, and the courts are limited thereto”).



## ISSUES PRESENTED

1. Plans for drive-thru voting were announced beginning on June 15. Multiple subsequent public announcements ensued. Hotze filed a petition contesting drive thru locations on the third day of early voting which this Court already denied. He filed this second petition two-and-a-half weeks into early voting, six days before Election Day, and after fifty percent of registered voters have already voted. *Do equitable principles or the Purcell doctrine bar election mandamus relief?*

2. The Relators have not articulated any particularized harm for each of them and premised their alleged harms on the false assertion that votes cast in drive-thru polling locations are “illegal” and may not be counted. *Do the Relators have standing to bring their petitions for writ of mandamus?*

3. Pursuant to the Election Code, the Harris County Commissioners Court — not the County Clerk — issued the orders approving polling locations and funding. Each of the Relators failed to appeal these orders to the district court. *Should the petitions be dismissed as improper collateral attacks on those court orders?*

4. The Election Code explicitly provides for temporary branch polling places in “any stationary structure” or “movable structure.” The Secretary of State

has approved and praised the drive-thru voting option at in-person polling locations.

*May large metal-framed tents or parking garages serve as polling locations?*

5. Hotze asks that votes cast in drive-thru voting locations not be counted either on Election Day or at all, yet offers no briefing or authorities to support that conclusion or explain why the plain text of the Election Code should be ignored. More than a century of Texas caselaw requires that votes be counted even if election officials violate directory election laws. *Should this Court order that more than 130,000 votes cast by eligible voters not be counted?*

## STATEMENT OF FACTS

Harris County Clerk Chris Hollins (“Hollins”) first announced drive-thru voting in June and its pilot test in July, and the Commissioners Court approved the ten locations in August. Early voting began on October 13. As of October 29, after all but one day of early voting 1, 176,084 voters have voted in-person and 166,838 have returned their mail-in ballots constituting 54.2% of the registered voters in Harris County. *See* Daily Record EV Totals (“Oct. 29 Daily Record EV Totals”), as of Oct. 29, 2020, [https://www.harrisvotes.com/Docs/Uploads/EVPA\\_unofficial.pdf](https://www.harrisvotes.com/Docs/Uploads/EVPA_unofficial.pdf). Supp.MR 137, 144.

**A. Hollins’s plans to offer drive-thru voting have been public for months.**

On June 15, just a few weeks after he was appointed County Clerk to fill a vacancy, Hollins first announced the possibility of drive-thru voting as he launched his plan for a secure, accessible, fair, and efficient election (“S.A.F.E. Plan”). Supp.MR 14. In the S.A.F.E. Plan press release Hollins stated he would “[i]ncrease curbside voting and potentially introduce drive-thru voting.” *Id.*

Typically, local election authority staff confer with Secretary of State (“SOS”) staff about any changes to election procedures seeking advice on the law. *See* TEX. ELEC. CODE § 31.004. Hollins’s office did so with regard to drive-thru voting over the course of multiple conversations, and the SOS approved of the idea. Decl. of Rebecca (Beth) Stevens at ¶¶ 4-5, Supp.MR 2. Further, as is the routine practice,

the County Clerk's office held a series of stakeholder meetings beginning in the summer to discuss plans for the general election, get informal input from stakeholders, get formal input on topics like the names of proposed election judges and alternate judges for early voting and Election Day, and explain decisions the County Clerk made to manage and conduct the election including the drive-thru program. *Id.* at ¶ 6.

On July 22, after the primary runoff, Hollins issued another press release announcing that his office had conducted a pilot drive-thru voting service during the primary runoff on July 10 at one polling location surveying voters who used the service for feedback. Supp.MR 16. Voters raved about the experience responding to the question of whether they would use the service again with a score of 9.7 on a 1-to-10 scale. *Id.*

On August 25, the *Houston Chronicle* reported on the Harris County Commissioners Court approving additional funding for the general election including funding for drive-thru voting. Zach Despart, *Harris County OKs \$17 million to add polls, voting hours and drive-thru voting for November election*, HOUSTON CHRON. Aug. 25, 2020, <https://www.houstonchronicle.com/politics/houston/article/Harris-County-OKs-17M-to-add-polls-voting-hours-15514804.php>. Supp.MR 17. At that August 25 meeting, the Court unanimously approved the list of early voting locations including the drive-thru locations. *See Harris County*

Commissioners Court Order, Notification of Election & Request for Election Details, Aug. 25, 2020, Supp.MR 22. None of the Relators appealed that order.

On September 9, during the temporary injunction hearing in *State v. Hollins* Texas Secretary of State Director of Elections Keith Ingram was asked on direct exam about the legal propriety of drive-thru voting. He answered:

You know, it's – it's a creative approach that is probably okay legally. You know, the requirement is that polling places be located in a building so what we've told counties who want to try this is that they need to have the location associated with a physical building and that they need to take whoever shows up at that location, whether they are walking, riding a bicycle or driving a car, they need to be able to provide all of those folks with an opportunity to vote.

Transcript, Temporary Injunction Hearing, *State v. Hollins*, No. 2020-52383, Sept. 9, 2020, RR71-72, Supp.MR 108-09. In Hollins's testimony he confirmed he would be providing drive-thru voting as a method to making voting as safe as it can be during the pandemic. *Id.*, RR134. On cross exam, the State asked him to “wrap it up on a high note” and “brag about how great and how safe your in-person voting is.” *Id.*, RR169. Hollins again publicly stated that drive-thru voting would be offered during the general election. *Id.*, RR170.

On September 29, the Harris County Commissioners court approved acceptance of a \$9.6 million grant in part to expand drive-thru voting locations. The Court again issued an order approving drive-thru voting, this time to accept grant money to expand their number. *See* Harris County Commissioners Court Order,

CTCL COVID-19 Response Grant, Sept. 29, 2020, Supp.MR 115. None of the Relators appealed that order either.

**B. Drive-thru voting is the same as any other in-person voting.**

Harris County has ten drive-thru voting locations, each of which is adjacent to a traditional indoor polling place. There are 122 early voting polling locations at 112 addresses. *See* EV Location Map, Supp.MR 123. The drive-thru locations were co-located with traditional polling locations to accommodate all voters in case of inclement weather or technical difficulties. *See* Stevens Decl. at ¶ 11, Supp.MR 4. Each drive-thru polling location has its own election judge and clerks. *Id.* In essence, the drive-thru lines provide additional capacity of voting booths at each of the ten locations. For example, at the NRG Arena location there are thirty drive-thru lanes. *Id.*, at ¶ 8.

The photos below are typical of the drive-thru voting centers. Voters line up in their cars:



Then form separate lines:



A Greeter asks them to have photo identification ready and tells them to turn off their cell phones. *Id.*, at ¶ 9, Decl. of Lillian Henry at ¶ 4, Supp.MR 125; Decl. of Anne Whitlock at ¶ 2, Supp.MR 127; Decl. of Edwin Alexander at ¶ 3, Supp.MR 129; Decl. of Robert O’Sullivan, Supp.MR 131. Then they enter the voting area:



When they enter a particular line, an election clerk again requests that they turn off

their cell phone, checks their identification, asks the voter the usual questions about whether their address is current, determines whether the voter is on the voter roll, and if so, has them sign the voting roster, then hands them a voting code and a voting machine — all just as if they were casting a vote at a walk-in polling location. Stevens Decl. at ¶ 10; Henny Decl. at ¶ 4; Whitlock Decl. at ¶ 3; Alexander Decl. at ¶ 3; O’Sullivan Decl. The election worker then sanitizes the voting machine before the next car enters the voting area. Stevens Decl. at ¶ 10; Henny Decl. at ¶ 4; Whitlock Decl. at ¶ 3; Alexander Decl. at ¶¶ 4, 5.

Most of the drive-thru locations are constructed of metal frames and durable tent covers covering a space of at least ten feet by twenty feet with a ten foot wide lane for a car to pass through. Stevens Decl. at ¶ 7. Depending on the location, the size of the drive-thru polling place can be quite large. *See* Supp.MR 132, Declaration of Michael Winn at ¶ 10.<sup>1</sup> The Toyota Center location is in a parking garage. Stevens Decl. at ¶ 7; *see* Pet. App. C. These polling locations were designed to allow space for election clerks to work and poll watchers to watch, and a number of poll watchers have shown up at the drive-thru locations. *Id.* There are no photos of the inside of the tent during actual voting because recording devices are banned in polling places. *See* TEX. ELEC. CODE § 61.014. The same rules apply to drive-thru voting as any other polling place. Poll watchers may watch the processing of voters.

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<sup>1</sup> <https://twitter.com/Tejasimo/status/1321994048710782976> (video of overall structure).



TEX. ELEC. CODE § 33.056. There is no electioneering within 100 feet. TEX. ELEC. CODE § 61.003. Voters must turn off their cell phones as they enter the tent structures. *See* TEX. ELEC. CODE § 61.014; *see also* Video.<sup>2</sup>

Similar tent structures are being used at walk-in polling locations. Stevens Decl. at ¶ 12. For example, to alleviate lines at the Barbara Bush Library, the County Clerk’s office constructed similar tents so that the polling place check in lines can come outside the permanent building to allow more space for socially-distanced voting booths inside the building. *Id.* The expanded arrangement includes voting machines in the tent structures. Winn Decl. at ¶ 12.

Each evening, the counts of voters at each location including the drive-thru locations that are co-located with traditional locations, are posted on the Harris Votes website. *See* Oct. 29 Daily Record EV Totals. As of Thursday, October 29, more than 117,462 Harris County voters used this service amounting to 10% of the total in-person votes and 8.7% of the total votes. The most popular drive-thru locations are the NRG Center, the Humble Civic Center in northeast Harris County, Fallbrook Church in the northwest, and HCC West Loop South. *See id.* Hollins anticipates at least 135,000 votes will be cast at the ten drive-thru locations through Election Day.

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<sup>2</sup> <https://twitter.com/HarrisVotes/status/1316493237906026496>. “Curbside Larry” is a recurring character who promotes the Harris County Public Library. *See* <https://twitter.com/TXLA/status/1316378479890489346>. His video explains drive-thru voting and makes it clear that pick-up trucks are welcome.

**C. Hotze has already sought and been denied mandamus relief.**

On October 15, Hotze and a slightly different array of relators filed a similar petition for writ of mandamus with this Court seeking nearly identical relief. *In re Hotze*, No. 20-0819. This Court denied relief on October 22. *In re Hotze*, No. 20-0819, 2020 WL 6193918 (Tex. Oct. 22, 2020).

**ARGUMENT**

Hotze’s petition is based on the false premises that: (1) drive-thru voting is the same as “curbside voting”; (2) there is such a thing as “curbside applications”; and (3) votes cast in drive thru voting locations are “illegal.” He also fails to appreciate how polling locations are selected for early voting and election day — namely that the Commissioners Court did so by orders all of the Relators failed to appeal. Hotze also ignores that the Election Code explicitly allows temporary and movable structures for voting. Hotze still pretends that drive-thru voting was first raised on September 10, but the topic was raised in June and publicly tested on July 10. This Court has already held on October 7 that election petitions for writ of mandamus are too late for the general election. In short, Relators are wrong about the law, too late, and in the wrong forum; thus, their petition and motion should be promptly denied.

“Mandamus is intended to be an extraordinary remedy, available only in limited circumstances.” *Walker v. Packer*, 827 S.W.2d 833, 840 (Tex. 1992).

“Mandamus issues only to correct a clear abuse of discretion or the violation of a duty imposed by law when there is no other adequate remedy by law.” *Id.* (quotation omitted). Thus, to obtain a writ of mandamus under Election Code § 273.016, a relator must establish (1) “a clear abuse of discretion” by the respondent and (2) the lack of “a clear and adequate remedy at law, such as a normal appeal.” *Id.* (citations omitted). Mandamus relief is meant for circumstances “involving manifest and urgent necessity and not for grievances that may be addressed by other remedies.” *In re Murrin Bros. 1885 Ltd.*, 603 S.W.3d 53, 57 (Tex. 2019) (citation omitted). Further, “[d]isputed facts . . . prevent the Court from resolving issues in a mandamus proceeding.” *In re Angelini*, 186 S.W.3d 558, 560 (Tex. 2006) (orig. proceeding). Here, the Relators had the remedy of appealing the Commissioners Court order. They failed to do so. Moreover, the proper remedy for election law violations resulting in “illegal” votes is an election contest after the votes have been counted.

**I. Hotze seeks mandamus relief too long after the plans for drive-thru voting were announced and too late during an ongoing election.**

Relators’ petition should be dismissed because it is woefully untimely and thus are barred by: (1) equitable principles and (2) the well-established principle that courts should not alter election procedures on the eve of — much less during — an election.

Mandamus relief is largely controlled by equitable principles. *In re Int’l Profit Associates, Inc.*, 274 S.W.3d 672, 676 (Tex. 2009); *Rivercenter Assocs. v.*

*Rivera*, 858 S.W.2d 366, 367 (Tex. 1993). Courts should not grant mandamus relief to those who slumber on their rights. *Id.* Texas courts have denied mandamus when, for example, relators offered no explanation for a multi-month delay before challenging a trial-court order. *See In re Harbrook Tool & Mfg., Co.*, 181 S.W.3d 551, 552 (Tex. App. – El Paso 2005, orig. proceeding); *Furr’s Supermarkets, Inc. v. Mulanax*, 897 S.W.2d 442, 443 (Tex. App. – El Paso 1995, orig. proceeding). This principle applies with more urgency in the context of election mandamus. *See In re Hotze*, 2020 WL 5919726, at \*2-3 (Tex. Oct. 7, 2020) (denying relief where petition filed after mail-in balloting had begun and weeks after the offending order had issued).

That the petition seeks relief *after* an election has begun and after a nearly identical petition was denied makes the application of equitable principles all the more necessary, as granting relief would cause severe prejudice that could have been avoided if Relators sought relief sooner. The U.S. Supreme Court, applying equitable principles, “has repeatedly emphasized that lower federal courts should ordinarily not alter the election rules on the eve of an election.” *Republican Nat’l Comm. v. Democratic Nat’l Comm.*, 140 S. Ct. 1205, 1207 (2020). The U.S. Supreme Court frequently applies these principles to stay lower-court decisions that would alter election procedures when an election is “imminen[t].” *Purcell v. Gonzalez*, 549 U.S. 1, 5 (2006) (per curiam). The *Purcell* doctrine reflects that court-

ordered changes to election procedures immediately before an election can cause “serious disruption of [the] election process” and “confusion” for voters. *See Williams v. Rhodes*, 393 U.S. 23, 34-35 (1968). The Court has explained that “voter confusion” is a paramount concern whenever a court orders changes to election procedures on the eve of an election, and “[a]s an election draws closer, that risk will increase.” *Purcell*, 549 U.S. at 4-5. In recent years, the Supreme Court has applied *Purcell* to stay lower-court orders that would have changed election laws 32 days before Election Day, *N. Carolina v. League of Women Voters*, 574 U.S. 927 (2014), and even 61 days before election day, *Husted v. Ohio State Conference of N.A.A.C.P.*, 573 U.S. 988 (2014). And the Court has reaffirmed the importance of the *Purcell* doctrine within the past year. *Republican Nat’l Comm.*, 140 S. Ct. at 1207.

The same result obtains under Texas law. Applying the related doctrine of mootness, this Court has dismissed election-related mandamus petitions once “absentee balloting has begun,” reasoning that the election was “already in progress, and no order which this court might enter could be effective at this late date to govern such election.” *Skelton v. Yates*, 119 S.W.2d 91, 91-92 (Tex. 1938); *see also, e.g., Law v. Johnson*, 826 S.W.2d 794, 797 (Tex. App. – Houston [14th Dist.] 1992, no writ) (“A case is moot once it has become too late to invalidate a candidate and print new absentee ballots in time for the beginning of the casting of ballots.”). Not even

three weeks ago, this Court applied *Purcell* to deny mandamus relief that would have disrupted an ongoing election. *In re Hotze*, No. 20-0739, 2020 WL 5919726, at \*3 & \*3 n.18 (citing, *inter alia*, *Purcell*, 549 U.S. 1).

Here the election is not just “imminent” — it is happening. More than fifty percent of the Harris County electorate has already voted. Supp.MR. 13 (628,708 votes as of October 18); Supp. MR 144 (1,344,915 votes as of October 29). Voters have cast their ballots in reliance of the SOS-approved polling locations. *See* Amicus Ltr. of Janice Jucker, No. 20-0819, Supp.MR 145; Amicus Ltr. of Elizabeth Schreiber, No. 20-0819, Supp.MR 146 (“I should not have my vote stolen.”). Changing these procedures now by court order will cause the sort of disruption that the *Purcell* doctrine prohibits.

**II. Relators each lack standing because they have not alleged any concrete injury, nor established that the conduct is causing any injury.**

Relators have no standing to pursue the writ they request. “[S]tanding is a constitutional prerequisite to maintaining a suit” in Texas courts. *Tex. Ass’n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 444 (Tex. 1993). It requires “a concrete injury to the plaintiff and a real controversy between the parties that will be resolved by the court.” *Heckman v. Williamson Cty.*, 369 S.W.3d 137, 154 (Tex. 2012). Relators have the burden to establish (1) an “injury in fact” that is both “concrete and particularized” and “actual or imminent”; (2) that the injury is “fairly traceable” to the defendant’s challenged actions; and (3) that it is “‘likely,’ as opposed to

merely ‘speculative,’ that the injury will be ‘redressed by a favorable decision.’” *Id.* at 154-55 (quoting *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560–61 (1992)).

Relators’ allegations of harm are premised on the assertion that votes cast in drive thru polling places are “illegal.” Pet. at 8-9, 24-25. As explained in Part IV, they are wrong about the propriety of drive-thru voting locations. Moreover, as explained in Part V, they are wrong about such votes being “illegal” and not countable.

None of the Relators — who are an individual voter, hopeful candidates, and a single member of the Legislature from another county — allege any “injury distinct from that sustained by the public at large.” *Brown v. Todd*, 53 S.W.3d 297, 302 (Tex. 2001). That failure alone forecloses standing.

Hotze claims his right to vote has been threatened by drive thru voting. Pet. at 24. But, “[n]o Texas court has ever recognized that a plaintiff’s status as a voter, without more, confers standing to challenge the lawfulness of governmental acts.” *Brown*, 53 S.W.3d at 302. Even when a “preferred candidate . . . has less chance of being elected,” the “harm” is not “a restriction on voters’ rights and by itself is not a legally cognizable injury sufficient for standing.” *Becker v. FEC*, 230 F.3d 381, 390 (1st Cir. 2000); *see also Berg v. Obama*, 586 F.3d 234, 240 (3d Cir. 2009); *Gottlieb v. FEC*, 143 F.3d 618, 622 (D.C. Cir. 1998). Hotze does not have standing.

Under these well-established principles, Relators’ allegations about vote dilution or “votes being illegally cast” — in addition to being entirely baseless — are irrelevant. *See* Pet. at 24. “[R]ecognizing standing based on such an ‘undifferentiated’ injury is fundamentally ‘inconsistent’ with the exercise of the judicial power.” *Protect Our Parks, Inc. v. Chicago Park Dist.*, 971 F.3d 722, 731 (7th Cir. 2020) (Barrett, J.) (quoting *Lujan*, 504 U.S. at 575).

Relators make no argument as to why Rep. Toth has standing other than the fact he is currently a representative. But individual legislators do not have standing by virtue of their office alone. *See Raines v. Byrd*, 521 U.S. 811, 829-30, 117 S. Ct. 2312, 2321 (1997); *Corman v. Torres*, 287 F. Supp. 2d 558, 567 (M.D. Penn. 2018) (“a legislator suffers no Article III injury when alleged harm is borne equally by all members of the legislature”). Relators’ position is also misplaced because this case does not allege the invalidation of a specific legislative act. *See Brown*, 53 S.W.3d at 303-04. As this Court made clear in *Brown*, it is inappropriate to conceive of an amalgam of disparate legislative pronouncements as “a specific legislative act” that legislators might have standing to defend. *Id.* at 304 (emphasis in original). Moreover, Rep. Toth only entered the Legislature in 2013. *See* Legislative Reference Library, Texas Legislators: Past and Present, <https://lrl.texas.gov/legeLeaders/members/membersearch.cfm>. All of the sections at issue were enacted



at least before the 1985 Election Code. *See* TEX. ELEC. CODE §§ 43.031, 64.009, 84.002, 85.062, 104.001. These laws are not Rep. Toth's to defend.

Even if any Relators had alleged cognizable, redressable injuries, they surely have not proven them. To establish standing in an original proceeding, Relators need evidence. *See In re Hotze*, 2020 WL 5919726, at \*5 (Blacklock, J. concurring) (citing *Hunt v. Bass*, 664 S.W.2d 323, 324 (Tex. 1984)). That evidence must show a “particular personal interest which separates [relator] from the general public.” *Hunt*, 664 S.W.2d at 324. Even if Relators' threadbare presumptions that drive-thru voting will disfavor their candidates and candidacies were credible, they have introduced no evidence supporting that the voting method will actually harm candidates or cause any concrete, particularized injury. At an absolute minimum, there are “[d]isputed facts” in this case that “prevent the Court from resolving issues in a mandamus proceeding.” *In re Angelini*, 186 S.W.3d at 560. Finally, as candidates, Relators Champion and Hemphill should be careful what they ask for. Whether they are polling better or worse with voters who choose to and can access drive-thru polling locations versus conventional ones is unknowable, and they may very well harm their own election chances by seeking relief should drive-thru voters disproportionately prefer their candidacies compared to Harris County voters as a whole. This failure to produce any evidence to show concrete harm from voters voting from their cars undermines their claim for standing to bring suit.

**III. Hotze had an adequate remedy but each Relator failed to challenge the court order approving the drive-thru polling locations, and the order cannot be collaterally attacked now.**

In addition to the independent reasons to deny mandamus relief for a too-late filed petition and lack of standing, the Relators are suing the wrong respondent in the wrong forum. As early voting clerk and County Clerk, Hollins recommends voting locations, but the Commissioners Court issues an order approving them both for early voting and Election Day. *See* TEX. ELEC. CODE §§ 43.002 (election day for general election); 85.062(a)(1) (early voting). That order should have been timely challenged in district court.

In its initial incarnations, early voting typically took place at the county clerk's main office. *See* TEX. ELEC. CODE § 85.002(a). However, the Commissioners Court may determine that space is impracticable and select a different location in the same city as Harris County has done by selecting the NRG Arena as its headquarters. *See* TEX. ELEC. CODE § 85.002(b). When the county clerk is the early voting clerk as is the case in Harris County, each of the clerk's branch offices may be an early voting polling place known as a "permanent branch polling place." TEX. ELEC. CODE § 85.061(a), (c). But the Commissioners Court may also by order provide that other locations be "temporary branch polling" locations. TEX. ELEC. CODE §§ 85.061(b), 85.062(a)(1).

On August 25, the Commissioners' Court issued an unanimous order approving the drive-thru polling places. Supp.MR 22. The Relators did not appeal that order. On September 29, the Commissioners' Court issued another order approving additional funding including for expanded drive-thru voting locations. Supp.MR 115. The Relators did not appeal that order. Commissioners court orders are appealed to a district court. TEX. CONST. art. V, § 8.<sup>3</sup> Orders of the Commissioners Court are binding and conclusive and may not be collaterally attacked. *Burgess v. State*, 313 S.W.3d 844, 852-54 (Tex. App. – Fort Worth 2010, no pet.) (collecting cases); *Hanks v. Smith*, 74 S.W.3d 409, 412 (Tex. App. – Tyler 2001, pet. denied). This is true for election cases as well including election contests. *Harrison v. Jay*, 153 Tex. 460, 463-64, 271 S.W.2d 388, 389-90 (1954) (refusing a collateral attack on court order establishing polling precincts). *Harrison* is directly on point to Hotze's challenge to polling locations. Hotze has sued the wrong respondent, in the wrong forum, and failed to timely challenge the polling location orders. Consequently, his petition and motion should be denied.

Moreover, the Election Code provides an adequate remedy for those truly aggrieved by a violation of election laws: an election contest. See TEX. ELEC. CODE, Title 14 Election Contests (chs. 221, 231-33, 241-43). The Code specifies the scope

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<sup>3</sup> See *Henry v. Cox*, 520 S.W.3d 28, (Tex. 2017) (noting that courts supervision of commissioners court acts is limited).

of inquiry in an election contest. TEX. ELEC. CODE § 221.003. Notably, the filing of an election contest does not affect the canvass, and the counting and certification of the election results shall continue as if a contest had not been filed. TEX. ELEC. CODE § 221.006. Only through the process of an election contest can votes be declared invalid and not counted. But Hotze is asking this Court to ignore that statutory scheme, create a new remedy outside the bounds of the Code, and order that Harris County drive-thru votes be quarantined and not counted on Election Day. *See Blum v. Lanier*, 997 S.W.2d 250 (Tex. 1999) (“An injunction that delays the election would be improper, but an injunction that facilitates the elective process may be appropriate.”). That request runs directly contrary to the election laws the Legislature has enacted and such an end run around the law should not be indulged.

**IV. The Election Code explicitly allows for temporary structures to accommodate voters.**

Hotze’s misreading of the Election Code is so off base, it seems willful. He complains about drive-thru polling locations, yet under the Code it is the Commissioners Court that approved these drive-thru locations — not the Clerk who can only recommend them. He alleges that the locations are an “illegal scheme” but the Code explicitly allows “temporary” and “movable structures” and even the use of “ropes.” He claims the votes are “illegal” and thus cause the Relators redressable harm, but the Election Code says nothing about polling location violations resulting in votes that “may not be counted.”

**A. Drive-thru voting is a polling place within a structure or a building.**

Temporary branch polling locations may be located “at any place in the territory served by the early voting clerk and may be located in *any stationary structure.*” TEX. ELEC. CODE §§ 85.062(b) (emphasis added). In addition, the polling place may be located “in a movable structure” and “[r]opes and other suitable objects may be used” to arrange voting stations so that voters have privacy but election workers and poll watchers can view the voting area. *Id.*; *see also* TEX. ELEC. CODE § 62.004. Thus, temporary branch polling locations do not even have to be in a “building” at all. They may be in any structure including those that are movable.

Here, the drive-thru voting locations use more than “ropes” to arrange voting stations. Sturdy metal frames form large stationary structures that cars can drive through in distinct lines to pass through voting stations and create voting areas that are in view of election officers, watchers, and persons waiting to vote, but are separated from others waiting to vote. *See* TEX. ELEC. CODE § 62.004(1). One location is a parking garage. Thus, structures like the drive-thru voting locations Harris County has innovated are explicitly allowed under the Election Code. They are not “illegal” or even legitimately questionable under the Code’s plain language.

The drive thru locations are also legally permitted on Election Day. *See* TEX. ELEC. CODE § 43.031 (polling locations must be in a building).<sup>4</sup> The drive-thru polling locations are buildings. The Oxford Dictionary of English defines “building” as “a structure with roof and walls such as a house or a factory.” The Election Code does not define a building, but other statutes do. *See* TEX. PENAL CODE § 30.01 (“any enclosed structure intended for use or occupation as a habitation or for some purpose of trade, manufacture, ornament, or use”); TEX. LOC. GOV’T CODE § 233.0615 (“any enclosed structure intended for use or occupation as a habitation or for some purpose of trade, manufacture, ornament, or use”); TEX. LOC. GOV’T CODE § 214.231 (“any enclosed structure designed for use as a habitation or for a commercial use, including engaging in trade or manufacture”).

Texas law liberally applies “building” as used in these code provisions. In *Myers v. State*, the defendant was arrested after being found partially inside a ten foot by twenty foot tent on the State Fair grounds and charged with burglary of a “building.” *Myers v. State*, 1992 WL 276459 (Tex. App. – Dallas Oct. 9, 1992, no writ) (per curiam). That edifice is very similar to but not as sturdy as those used for drive-thru voting and precisely the same dimensions as individual voting stations in the drive-thru locations. The court held that the tent was a “building.” *Id.*, at \*2.

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<sup>4</sup> Section 43.031 is part of Title 4 of the Election Code which only applies to Election Day. Title 7 governs early voting.

The Dallas Court of Appeals has also held that a football stadium qualifies as a polling location. *Bielamowicz v. Cedar Hill Indep. Sch. Dist.*, 136 S.W.3d 718, 721 (Tex. App. – Dallas 2004, pet. denied). There the court refused a challenge to a temporary branch polling location in a football stadium to make voting convenient for a school bond election. The drive-thru voting locations are both a structure and a building and are expressly permitted under the Election Code.

**B. “Curbside voting” is not drive-thru voting and does not require an application or a justification to the State.**

The Relators ask that the Court order Hollins to review “all curbside voting applications” and reject those that lack compliance with Sections 64.009, 84.002, and 104.001. Pet. at 26. There is no such thing as a “curbside voting application” under the Election Code. Winn Decl. at ¶ 9. Voters simply ask for curbside assistance, and the election clerks provide it without interrogating them as to their health status. *Id.* An application is not required. *Id.*; see TEX. ELEC. CODE § 64.009.

While drive-thru voting is just another polling place with a different layout and structure than traditional polling places, curbside voting is a *method* of voting that must be available at *all* polling places to accommodate voters with certain disabilities. If a voter is physically unable to enter the polling place without personal

assistance or a likelihood of injuring the voter's health,<sup>5</sup> on the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or the curb. TEX. ELEC. CODE § 64.009(a). While this restricted method of voting is colloquially known as "curbside voting" in what physical circumstance it takes place depends on the nature and physical layout of each polling location. (On Election Day Harris County will have 800 polling locations which of course will vary widely. Winn Decl. at ¶ 8). Regular voting procedures may be modified by the election officer to the extent necessary to conduct voting to accommodate the voter. TEX. ELEC. CODE § 64.009(b). The same accommodations must be applied at every polling place during early voting. TEX. ELEC. CODE § 85.034. Drive-thru voting is a different physical layout of an in-person polling location, not a special accommodation for people with disabilities who cannot physically enter the polling places, where all election laws, including the accommodation of poll watchers are in force. Winn Decl. at ¶ 10.

Hotze repeats a string citation to Election Code Sections in his petition to Sections "64.009, 82.02 and 104.001." Pet. 1, 5, 10, 20, 22. The citations are misplaced and confused. As explained above, "curbside voting" is not the same as drive-thru voting temporary polling locations. *See* TEX. ELEC. CODE § 64.009. The

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<sup>5</sup> This description resembles the definition of "disability" for voting-by-mail before the 1985 modernization of the Election Code. *See* Act of Apr. 19, 1979, 66th Leg., R.S., ch. 91, § 1, 1979 Tex. Gen. Laws 167 (H.B. 434).



citation to “82.02” presumably intends Section 82.002 which does not come into play at all because Chapter 82 governs mail-in ballots and has a different criteria than Section 64.009. *See* TEX. ELEC. CODE ch. 82 (eligibility for early voting by mail). The citation to Section 104.001 is baffling. That provision has nothing to do with the role of an early voting clerk, but instead allows a voter whose precinct polling place uses a voting machine and who has a sickness or physical condition that prevents the voter from using that machine to vote at the *main* early voting polling place on Election Day. *See* TEX. ELEC. CODE §§ 104.001, 104.003; Winn Decl. at ¶ 11. Unlike Chapter 102’s provisions for late voting by a sick or disabled voter, Chapter 104 does not reference Section 82.002. *See* TEX. ELEC. CODE § 102.001(a). Moreover, modern voting systems and better physical facilities for voting, along with the universal requirement for curbside voting make Chapter 104 largely obsolete and rarely used.<sup>6</sup> *See* TEX. ELEC. CODE § 64.009, 85.034; Winn Decl. at ¶ 11.

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<sup>6</sup> As for the Attorney General’s memo it too confuses the disability accommodation of “curbside voting” with the layout and establishment of polling locations. Pet. at 18. This “memo” is not a letter opinion. *See* TEX. GOV’T CODE § 402.042. Moreover, the Election Code charges the Secretary of State with advising local election authorities on election law, not the Attorney General. TEX. ELEC. CODE § 31.004.

**V. Votes cast in a drive-thru polling place are not “illegal” and even if an election law was broken, those votes still must be counted.**

Hotze argues that the votes cast in drive thru voting locations are “illegal” and should not be counted. Pet. at 8-9. Yet, Hotze offers no argument or authorities as to why such votes — even if there were Election Code violations — should not be counted. For this failure alone the petition should be denied as Hotze’s failure to brief the issue waives it. TEX. R. APP. P. 52.3(h); *see also ERI Consulting Eng’rs, Inc. v. Swinnea*, 318 S.W.3d 867, 889 (Tex. 2010).

In fact, the plain language of the Election Code and more than a century of Texas jurisprudence requires that even if the drive thru locations violate the Election Code, the votes cast there must be counted. An “‘illegal vote’ means a vote that is not legally countable.” TEX. ELEC. CODE § 221.003(b). A ballot cast in person is not “illegal” because of the physical lay-out of the polling location. An “illegal vote” is a criminal offense *only if* a person:

- (1) votes or attempts to vote in an election in which the person knows the person is not eligible to vote;
- (2) knowingly votes or attempts to vote more than once in an election;
- (3) knowingly votes or attempts to vote a ballot belonging to another person, or by impersonating another person; or
- (4) knowingly marks or attempts to mark any portion of another person’s ballot without the consent of that person, or without specific direction from that person how to mark the ballot.

TEX. ELEC. CODE § 64.012(a). Thus, uncountable votes are those that resulted from clear fraudulent behavior: ineligible voters voting, voting twice, voting for another, or marking another's ballot without permission and compliance with the law. There is nothing about an eligible voter casting an in-person vote from their car that renders their vote "illegal," fraudulent, or not countable.

The Elections Code is very specific as to when a vote is "not legally countable" by simply specifying in what circumstances a vote "may not be counted" including that phrase in nearly two dozen separate statutes. Thus, there is a clear textual reason for ballots to be voided or not counted whether during the canvass or in an election contest, and an absence of the text phrase in the provisions alleged to have been violated means any votes cast that way must still be counted. *See Galvan v. Vera*, 2018 WL 4096383, at \*3 & \*3 n.2 (Tex. App. – San Antonio Aug. 29, 2018, no pet.); *Jones v. Morales*, 318 S.W.3d 419, 426 (Tex. App. – Amarillo 2010, pet. denied) (both counting ballots despite election code violations where the sections violated did not specify the votes "may not be counted").

Some of these twenty provisions concern whether marred or irregular paper ballots may be counted.<sup>7</sup> Other provisions concern the procedure for mail-in ballots<sup>8</sup> or certain other methods of voting by mail such as late voting by mail because of a sickness or disability that begins after the deadline for voting by mail.<sup>9</sup> Still others concern when votes for types of candidates may be counted such as write in candidates whose name does not appear on the list of candidates.<sup>10</sup> And a few concern conduct of recounts and new elections.<sup>11</sup> The sections concerning polling locations and curbside voting do not contain the phrase “may not be counted;” thus any alleged violations will not render those now 100,000 plus votes “not legally countable.” *See* TEX. ELEC. CODE §§ 43.031, 64.009, 85.061, 85.062. Even Chapter 104 which the Relators claim Hollins is violating does not contain any language

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<sup>7</sup> TEX. ELEC. CODE §§ 52.006 (ballots corrected by a sticker), 65.007 (tallying straight-party votes where a voter marks more than one party), 65.008 (tallying write-in votes where a sticker for a write-in candidate is affixed to the ballot), 65.010 (physical ballots with irregularities or a provisional ballot that does not qualify to be counted).

<sup>8</sup> TEX. ELEC. CODE §§ 86.003 (sending a ballot to a voter other than by mail), 86.006 (voter returns ballot other than by mail, common carrier, or hand delivery without showing identification), 86.007 (ballot received after the deadline), 86.010 (unlawful assistance of a voter including inadequate documentation thereon).

<sup>9</sup> TEX. ELEC. CODE § 102.004 (providing a ballot in violation of this section), 102.006 (returning a ballot other than in person, in the carrier envelope, by the person who submitted the application for the ‘late disabled’ voter).

<sup>10</sup> TEX. ELEC. CODE §§ 146.002 (general election), 146.051 (city election), 146.081 (special legislative election), 171.0231 (county or precinct chair), 192.063(b) (independent presidential candidate who has withdrawn, died, or been declared ineligible)

<sup>11</sup> TEX. ELEC. CODE §§ 213.006 (early voting ballots rejected by early voting ballot board in a recount); 232.043 (write-in votes in a new election ordered by the court where the candidate did not receive votes in the first election).

indicating that votes cast by an improper method by an otherwise eligible voters are not legally countable.

Outside of these “may not be counted” statutes Election Code language prohibiting certain acts or not explicitly and in detail allowing others is not applied mechanically by Texas courts. Under the “substantial compliance” rule, review of allegations that an elections officer engaged in “fraud or illegal conduct or made a mistake” is limited to violations of statutes that are mandatory and not directory. *See* TEX. ELEC. CODE § 221.003. Further, election laws that are mandatory may be construed as directory in the absence of fraud or a statutory provision voiding ballots for failure to comply with a statute. Even the addition of the word “shall” does not make an election statute mandatory so as to defeat the will of the voters. *Thomas v. Groebl*, 147 Tex. 70, 78, 212 S.W.2d 625, 630 (1948) (following the “well established rule of construction that statutes regulating the right to vote should be given a liberal interpretation in favor of that right.”).

Election contestants must prove that a violation affected the outcome of the election, and violations of even mandatory provisions do not amount to an automatic invalidation of an election. *Honts v. Shaw*, 975 S.W.2d 816, 820 (Tex. App. – Austin 1998, no pet.). In *Honts*, the contestant alleged violations of Chapter 43 Polling Places because the election administrator had improperly combined voting precincts violating Section 43.001 (one polling place in each precinct). The court did not

invalidate the election holding that (1) statutes governing the *manner* of the election are directory in the sense that their violation does not justify setting aside an election, 975 S.W.2d at 821-22 (citations omitted) and (2) violations of directory provisions stemming from the election officials' conduct do not result in illegal votes. *Id.* at 823; *see also Alvarez v. Espinoza*, 844 S.W.2d 238, 243 (Tex. App. – San Antonio 1992, writ dism'd w.o.j.) (“a sanction for the sins of the . . . official should not [be] visited upon the voter”). Likewise, here the manner of voting in a drive-thru polling location versus any other polling place is governed by directory statutes, and any violation cannot result in illegal or uncountable votes.

Finally, as discussed in the Statement of Jurisdiction this Court does not have the jurisdiction to grant the relief requested — prior restraint on the counting of votes and interference with the canvass — outside of an election contest. *See City of Austin v. Thompson*, 219 S.W.2d 57, 59-60 (Tex. 1949); *City of Dallas v. Dallas Consolidated Elec. St. Ry. Co.*, 148 S.W 292, 105 Tex. 337 (1912); *see also Moore v. Edna Hospital Dist.*, 449 S.W.2d 508, 521 (Tex. Civ. App. – Corpus Christi 1969, writ ref'd n.r.e.)

**VI. Hotze's federal arguments are unfounded, inapplicable to the drive-thru voting locations and resulting votes, and cannot be the basis for a court order against the counting of votes.**

Hotze argues the Elections Clause and the Electors Clause of the United States Constitution create a redressable federal constitutional right because Hollins has

“significantly departed” from the Election Code. Pet. at 12-14 (citing U.S. CONST. art. I, § 4, cl. 1; U.S. CONST. art. II, § 1, cl.2; *Bush v. Gore*, 531 U.S. 98, 112-13, 121 S. Ct. 525, 534 (2000) (Rehnquist, C.J., concurring)). Putting aside that, as argued above, the drive-thru location are supported by rather than contrary to the statutes, Hotze’s position is unsupported by federal law. Notably, Hotze does not cite to *Bush v. Gore*’s holding, but to the Rehnquist concurrence even while claiming that the “United States Supreme Court has made it clear” that the law is as Hotze says. Pet. at 14.

To the contrary *Bush v. Gore* was about the *method* of counting *votes already cast*. The majority opinion held that counting ballots differently in different counties would violate the Equal Protection Clause. 531 U.S. at 108-11. The majority expressly limited its opinion to “present circumstances” given the complexity of election processes. *Id.* at 19. Nothing in the majority opinion supports Hotze’s theory of a private right of action under the Elections and Electors Clauses or their application to the facts at hand — which does not include a court order changing the method of counting votes cast.

Even the Rehnquist concurrence does not support Hotze’s case. Rehnquist argued that although “comity and respect for federalism compel us to defer to the decisions of state courts on issues of state law” a “significant departure from a legislative scheme for appointing Presidential electors presents a federal

constitutional question.” 531 U.S. at 112-13. Rehnquist continued to limit the scope of his theory in his analysis:

Isolated sections of the code may well admit of more than one interpretation, but the general coherence of the legislative scheme may not be altered by judicial interpretation so as to wholly change the statutorily provided apportionment of responsibility among these various bodies. In any election but a Presidential election, the Florida Supreme Court can give as little or as much deference to Florida’s executives as it chooses . . . .

*Id.* at 114. Hotze does not even argue that Hollins violates the “general coherence of the legislative scheme” but only of a few “isolated sections.” Thus, even under the Rehnquist analysis his claim for relief fails.

Hotze’s Equal Protection argument is likewise uncoupled from *Bush v. Gore* by seeking to apply it to means of voting, rather than the method of counting votes cast. *Bush* is limited to its “present circumstances” and cannot be stretched to encompass any allegations of election law violations. In a perverse twist to the majority opinion’s preservation of the fundamental right to vote and to have one’s vote counted, 531 U.S. at 104, 111, Hotze asks this Court to order those votes not be counted. This Court should decline.

Finally, Hotze has produced no evidence that Harris County is the only county in Texas utilizing drive-thru voting locations. Preventing Harris County’s drive-thru votes from being counted, when other counties’ drive-thru votes would be counted,



would create the very problem *Bush v. Gore* addressed: unequal standards in counting votes created by the courts.

In sum, Hotze has not shown he is entitled to the relief sought. Thus, his petition must be denied. *See* TEX. R. APP. P. 52.8(a).

\* \* \*

Voting is a good thing. Texas courts have long liberally construed statutes tending to limit citizens in their exercise of the right to vote in the favor of voters. *Thomas*, 147 Tex. at 78, 212 S.W.2d at 630 (“The right to vote is so fundamental in our form of government that it should be as zealously safeguarded as are our natural rights.”); *Owens v. State ex rel Jennett*, 64 Tex. 500, 509 (1885). Here the statutes explicitly allow polling places to be temporary, movable, and any sort of structure or building that meets the needs of the community. Hollins has not violated the law. Even if he had, the votes cast must still be counted. This Court lacks jurisdiction over the Relator’s claims and their request for relief. Thus, this Court should deny the petition.

### CONCLUSION

For the foregoing reasons, this Court should deny the petition and the motion.

Respectfully submitted,

/s/ Susan Hays

Susan Hays  
Law Office of Susan Hays, PC  
State Bar No. 24002249  
P.O. Box 41647  
Austin, Texas 78704  
Telephone: (214) 557-4819  
Telecopier: (214) 432-8273  
hayslaw@me.com

Vince Ryan  
Harris County Attorney  
Terence O'Rourke  
Special Counsel  
State Bar No. 15311000  
Cameron A. Hatzel  
Assistant County Attorney  
State Bar No. 24074373  
Seth Hopkins  
Assistant County Attorney  
State Bar No. 24032435  
Susannah Mitcham  
1019 Congress, 15th Floor  
Houston, Texas 77002  
Telephone: (713) 274-5376  
Telecopier: (713) 755-8924

**RULE 52.3(j) CERTIFICATION**

I hereby certify that I have reviewed this response brief and every factual statement is supported by the record.

/s/ Susan Hays

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing instrument was served on all parties of record via eFiling on October 30, 2020.

/s/ Susan Hays

**CERTIFICATE OF COMPLIANCE**

Microsoft Word reports that this brief contains 7,474 words, excluding the portions of the brief exempted by Rule.

/s/ Susan Hays



# Chris Hollins · Harris County Clerk

**FOR IMMEDIATE RELEASE**

June 15, 2020

**CONTACT:** Communications & Voter Outreach

[County.Clerk@cco.hctx.net](mailto:County.Clerk@cco.hctx.net)

(713) 274-9550

## Harris County Clerk Chris Hollins Launches 23-Point S.A.F.E. Plan Ahead of July Primary Runoff Elections

**(Houston, TX)** – Today, Clerk Hollins announced S.A.F.E., a robust set of 23 initiatives to ensure the July Primary Runoff Elections and the November General Election are safe, secure, accessible, fair, and efficient. The framework addresses the challenges of administering an election during an unprecedented global pandemic through thoughtful consideration of voter and poll-worker safety and innovating conventional practices to make voting more efficient.

“Since taking office on June 1st, I have spent my first two weeks learning, meeting with staff and stakeholders, and creating dedicated working groups to tackle the challenges we are facing as we head into July and November. Through these discussions, we developed S.A.F.E. to communicate to voters and staff what they can expect at the polls,” **said Harris County Clerk Chris Hollins**. “My commitment to all the residents of Harris County is to administer a safe, secure and fair election this July and again in November. This office will do everything we can to give every Harris County voter an equal say at the polls and give you the peace of mind that your vote will be counted.”

More information on the 23 S.A.F.E. initiatives below:

**SAFE** is our commitment to voters that you can exercise your right to vote without putting your health at risk. We will:

1. Provide PPE to all poll workers and voters who need it;
2. Optimize the floor plans of polling locations for safety and social distancing; and
3. Promote and maximize vote-by-mail within the bounds of the law.

Our election will be **SECURE**. It is ours—no one else’s—and we will not allow any tampering. We will:

4. Ensure the security of our voting systems and hardware; and
5. Respond proactively to any reports of voter intimidation, coercion, or fraud.

Our election will be **ACCESSIBLE**. Harris County voters can cast their votes at more polling sites and can do so quickly and conveniently. We will:

6. Utilize data to increase the number and optimize the locations of polling sites;
7. Procure sufficient additional machines from other jurisdictions and provide them with exceptional technical support;
8. Allocate machines across polling sites based on known traffic patterns and expected turnout;
9. Accurately report wait times across the County during the Early Voting period and on Election Day;
10. Provide increased voting hours during the Early Voting period;
11. Ensure ADA accessibility across County polling sites; and
12. Increase curbside voting and potentially introduce drive-thru-voting.

**Exhibit 5**

Our election will be **FAIR**. Every Harris County voter has equal access to the polls, and your vote is your voice in our democracy. We will:

13. Increase outreach to all voters and groups traditionally left out of the democratic process;
14. Seek and incorporate meaningful feedback from all stakeholders;
15. Count every vote and ensure the accuracy of election results;
16. Reduce the time it takes to report results on Election Day; and
17. Proactively engage provisional ballot voters on how to cure their ballots so they may be counted.

And our election will be **EFFICIENT**. We will ensure that the resources are in place for our elections to run smoothly despite today's unprecedented conditions. We will:

18. Recruit more than enough poll workers to operate polling locations during the Early Voting period and on Election Day;
19. Train poll workers and clarify standard operating procedures for a safe and effective operation under the current circumstances;
20. Prepare resources in anticipation of increased vote-by-mail usage by Harris County voters;
21. Put key performance indicators (KPIs) in place to measure our preparedness in ensuring a S.A.F.E. election for the voters of Harris County;
22. Optimize the ballot layout to allow voters to cast their votes more quickly; and
23. Procure the next generation of voting machines for use beyond 2020.

The first election of Clerk Hollins's administration will be the 2020 Primary Runoff. The Early Voting Period for this election will be June 29-July 10, and Election Day is on July 14.

For more information go to [HarrisVotes.com](https://www.harrisvotes.com) and follow @harrisvotes on Twitter, Facebook, and Instagram.

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[Harris County Clerk Chris Hollins Launches 23-Point S.A.F.E. Plan](#) (video)

STATE of TEXAS

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COUNTY OF HARRIS

**DECLARATION OF REBECCA (“BETH”) STEVENS,  
SENIOR ADVISOR, VOTING RIGHTS AND ACCESS  
HARRIS COUNTY CLERK’S OFFICE**

My name is Beth Stevens. My date of birth is \_\_\_\_\_, and my address is 1001 Preston, Houston, Harris County, Texas, 77002. I declare under penalty of perjury that the foregoing is true and correct:

1. I am submitting this declaration and its attachments to explain the facts surrounding the planning, announcements, and implementation of drive-thru voting in Harris County.

2. I am an attorney and a member of the State Bar of Texas. Beginning in June 2020, I became the Senior Advisor for Voting Rights and Access of the Harris County Clerk’s Office and was tasked with helping plan and implement the conduct and management of the July primary runoff election and the November general election. As part of my duties, I regularly communicate with attorneys in the Division of Elections of the Office of the Texas Secretary of State (“SOS”).

3. Attached to this Declaration are true and correct copies of the items listed in the Index to Supplemental Mandamus Record.

4. As the Early Voting Clerk, the Harris County Clerk designates staff members to confer with the SOS about plans for the election and any changes to election procedures. As a designee, I routinely seek advice on election law pursuant to the SOS's statutory duty to provide that advice. It is a regular practice in Texas for local elections authorities to get advice from the SOS. Sometimes that advice is given verbally over the phone. Sometimes the SOS sends an email confirming advice. And sometimes the SOS issues a formal Advisory to all election officials.

5. I sought advice from the SOS related to drive-thru voting over the course of multiple conversations. The SOS approved of the idea and made suggestions to keep the project in compliance with the law, such as providing access to all voters who come to a particular location whether in a vehicle, by bicycle, or on foot.

6. As is the routine practice, the County Clerk's Office held a series of "stakeholder meetings" over the summer to discuss plans for the general election, get informal input from stakeholders, get formal input on topics like the names of proposed election judges and alternate judges for early voting and Election Day, and explain decisions the County Clerk made to manage and conduct the election such as the implementation of the drive-thru voting program. The Harris County Republican Party ("HCRP") was invited to these meetings and regularly sent representatives. As a result, the HCRP has been aware of the County Clerk's plans for drive-thru voting, including the pilot project that was conducted on July 10 and

the ten locations that were submitted to Commissioners Court for approval and are in operation today.

7. Each drive-thru location is constructed of metal frames and durable tent covers covering a space of at least ten feet by twenty feet, with a ten-foot wide lane for a car to pass through. The drive-thru locations were designed to allow space both for election workers and for poll watchers. There is space for poll watchers to observe the interaction between the election worker and the voter, such as by bringing a chair to sit inside the tent, and a number of poll watchers have shown up at our drive-thru locations.

8. Voters who are biking have utilized drive-thru voting, but no walkers have utilized drive-thru voting to date. The capacity of the drive-thru lines varies by location. For example, there are thirty drive-thru lanes at NRG Arena and only ten at the Houston Food Bank. The photographs in the brief are of the NRG Arena location.

9. As voters are waiting in line at a drive-thru voting center, a Greeter asks them to make sure they have photo identification handy. Once a voting booth opens up, the Greeter tells the voter to turn off their cell phones, as recording devices are prohibited in polling places.

10. When a voter enters a particular drive-thru booth in their vehicle, an election clerk checks their identification, asks the voter the usual questions about whether their address is current, again instructs the voter to turn off their cell phones,



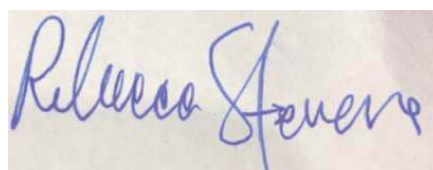
and determines whether the voter is on the voter roll. If so, the election clerk has the voter sign the voting roster, then hands them a voting code and a voting machine — all just as if the voter was casting their vote at a walk-in voting center. The election worker then steps away so the voter has privacy while voting. The voting machines are connected to a judge’s booth controller (“JBC”) unit where votes are backed up and stored. When the voter is done marking their ballot, the voter hands the election worker the voting machine and departs. The election worker sanitizes the voting machine before the next voter enters the booth.

11. All drive-thru voting centers are co-located with traditional walk-in voting centers. This is to ensure that, in case of technical challenges or inclement weather, voters can easily access another voting center. The Clerk’s Office reports each drive-thru location as a separate voting center. Attached to this declaration is a copy of the unofficial daily record of early voting as of Sunday, October 18. At the bottom of the list you can see polling places with a code beginning with “DTV.” These are the ten drive-thru locations. You will find the same location names appear above with a “SRD” code. The votes cast at a DTV location have their own JBC units and are operated by their own election judges.

12. Similar tent structures are being used at walk-in voting centers to increase capacity. For example, to alleviate lines at the Barbara Bush Library (“HCPL Barbara Bush Branch” on the EV Daily Record), the County Clerk’s Office is constructing tents so that additional voting machines can be placed outside the

permanent building. This change is part of our efforts to address overcrowding and long lines at voting centers whenever possible so that voters are not discouraged from voting. As that change is implemented, that very popular polling location will be partially inside and partially outside the permanent building.

Executed in Harris County, State of Texas, on the 19th day of October, 2020.

A photograph of a handwritten signature in blue ink on a light-colored surface. The signature is written in a cursive style and reads "Rebecca Stevens".

---

Rebecca (Beth) Stevens  
Declarant



**CHRIS HOLLINS**  
Harris County Clerk



**FOR IMMEDIATE RELEASE**  
July 22, 2020

**CONTACT:** Communications & Voter Outreach  
[County.Clerk@cco.hctx.net](mailto:County.Clerk@cco.hctx.net)  
(713) 274-9550

## **Harris County Clerk's Drive-Thru Voting Pilot Is Highly Successful** *Voters Would Overwhelmingly Use the Service Again and Recommend It to Others*

**(Houston, TX)** — On Friday, July 10, the last day of Early Voting during the July Primary Runoff Elections, the Harris County Clerk's Office piloted Drive-Thru Voting as an additional option for voters to cast their ballot safely in the midst of the COVID-19 pandemic. This was the first time in Texas history that an elections office held Drive-Thru Voting, where many voters at a time could cast their ballot without leaving the comfort and safety of their car.

"My number one priority is to keep voters and poll workers safe," **said Harris County Clerk Chris Hollins.** "The feedback we received from the Drive-Thru Voting pilot proves that voters felt safe exercising their right to vote and that it was an easy and efficient alternative to going inside a voting center. We are exploring options to expand this program for the November General Election at select locations as another method of voting during COVID-19."

Voters raved about the experience. Of the 200 voters who voted at the Drive-Thru Voting site, 141 completed an optional survey reviewing the new service. Some wrote that Drive-Thru Voting was "easy to use" and others cited how the service "made voters feel safe." One respondent even wrote that it was their "best voting experience EVER!"

Voters would overwhelmingly use the service again and recommend it to others. When asked on a scale of 0 through 10, with 10 being extremely likely, whether they would consider using the same service if it is provided again in the future, voters on average gave a score of 9.70. On the same scale, when asked whether they would recommend Drive-Thru Voting to another voter, voters on average gave a score of 9.66.

Fear of exposure to COVID-19 was the top reason for using Drive-Thru Voting. When asked why voters chose to vote using the Drive-Thru Voting service as opposed to the traditional walk-in voting method, 82 (58%) cited worries about health and safety in the midst of the pandemic. Other frequently mentioned reasons included the convenience of the service and pure curiosity about the experience of Drive-Thru Voting.

Drive-Thru Voting was piloted from 7:00 AM to 10:00 PM on Friday, July 10<sup>th</sup>, 2020, at Houston Community College – West Loop.

*Raw anonymous survey results can be found [HERE](#). The survey was available in English, Spanish, Chinese and Vietnamese. Out of 200 voters, 141 completed the survey.*

###



**THE OFFICE OF VINCE RYAN  
COUNTY ATTORNEY**

---

July 29, 2020

The Honorable Christopher Hollins  
Harris County Clerk  
1001 Preston  
Houston, TX 77002

Re: Election Day “Drive-Thru” voting options

Dear Mr. Hollins:

You inquired with this office as to whether the Harris County Clerk could conduct voting operations in an uncovered parking lot utilizing a “drive-thru” voting (“DTV”) system that allows voters to remain in their vehicles while voting. Specifically, you have asked whether such an option would run afoul of statutory requirements that election-day polling locations must be inside a building. After reviewing statutes and relevant case law on this issue, we have determined that a DTV system would be permissible when operated adjacent to and in conjunction with a polling location in a building.

Background

In response to the COVID19 pandemic, the Clerk’s office had initiated a pilot program during the primary runoffs to allow drivers to vote while remaining in their cars. Voting occurred within parking structures, and was open to any voter who sought the service. This process was distinct from the current curbside voting process that was statutorily established under Tex. Elec. Code 64.009 (a) for voters that self-identify as being physically unable to enter the polling place without personal assistance or the likelihood of injuring their health. Those voters can request a ballot to the voter at the polling place entrance or curb. Both the pilot DTV program and the curbside program have been successful in creating a safe voting option.

Page 2  
Election Day “Drive-Thru” voting options  
July 29, 2020

Tex Elec. Code Section 43.031

Section 43.031 requires that the polling place for Election Day “shall be located inside a public building.” The express intent of the statute was to prohibit the use of personal residences or private facilities as a voting location, with specific prohibitions of both under Section 43.031(e). While there is limited authority interpreting this section, the plain language of the statute suggests that a polling location must be located within the building.<sup>1</sup> While a polling location must be located within a building, the statute does not expressly prohibit an alternative process adjacent or connected to the main polling location to service voters. As evidenced by the statutory authority granted in Section 64.009(a), the legislature has allowed for alternative voting operations adjacent to an existing polling location. While a free standing polling location must be within a public building, it can be inferred that a polling operation that is outside would be permissible if connected to the main polling site.

Conclusion

Based upon our review of relevant statutes and advisories, we have concluded that a DTV system would be permissible when operated adjacent to and in conjunction with a polling location in a building. If you have any additional questions, or require further clarification on this matter please contact me at your convenience.

Sincerely,

VINCE RYAN  
Harris County Attorney

By: Jay Aiyer  
Douglas P. Ray, Special Assistant  
Jay Aiyer, Assistant County Attorney

APPROVED:

Robert W. Soard

Robert Soard  
First Assistant County Attorney

<sup>1</sup>See generally *Brannan v. Dallas Indep. School Dist.*, No. 11-93-350-CV, 1994 WL 16189869 (Tex. App.–Eastland Nov. 17, 1994) (not designated for publication); *Rodriguez v. Vera*, 249 S.W.2d 689 (Tex. App.–San Antonio 1952, no writ); *Trustees of Indep. School Dist. of Cleburne v. Johnson Ct. Democratic Exec. Comm.*, 52 S.W.2d 71 (Tex. 1932); Tex. Att’y Gen. Op. KP-0212 (2018).

POLITICS // HOUSTON POLITICS

# Harris County OKs \$17M to add polls, voting hours and drive-thru balloting for November election

Zach Despart | Aug. 25, 2020 | Updated: Aug. 26, 2020 1:13 p.m.



Allison Aungier, an election clerk, left, works behind a plastic barrier at her desk wearing a face mask, face shield and gloves as she checks in voters at the Metropolitan Multi-Service Center, 1475 West Gray, Friday, July 10, 2020, in Houston.

Photo: Melissa Phillip, Houston Chronicle / Staff photographer

Harris County voters this November will have more time and more than a hundred additional places to cast ballots in the presidential election, including drive-through locations and one day of 24-hour voting, under an expansive plan approved by Commissioners Court Tuesday.

With the additional polling locations, an extra week of early voting and up to 12,000 election workers, Harris County Clerk Chris Hollins is pledging a smooth

November election.

Skip to m

[e-edition](#)

election plan. The money is on top of the \$12 million the court approved earlier this year to expand mail-in voting amid fears that in-person balloting could spread the coronavirus during the ongoing pandemic.

The clerk's plan includes extended early balloting hours, including multiple nights to 10 p.m. and one 24-hour voting session, drive-through options, as well as new equipment to process an expected record number of mail ballots.

"The County Clerk's office has made it our top priority to ensure a safe, secure, accessible, fair and efficient election for the voters of Harris County this November," Hollins told court members. "And to ensure this outcome, our office has ... executed a robust set of 24 initiatives, many of which were piloted in the July primary runoff election."

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### Related Stories



BY ZACH DESPART, STAFF WRITER

**How you can avoid the long voting lines around Harris County**



BY ZACH DESPART, STAFF WRITER

**Harris County joins in recognizing Indigenous Peoples Day**

Hollins' plan is among the boldest unveiled by a Texas elections administrator to improve a voter's experience and increase turnout in a state with historically low participation, said University of Houston political science Professor Brandon Rottinghaus.

"These changes would rocket Harris County to the top of the list as the most progressive approach to voting," Rottinghaus said.

Rice University political science professor Mark Jones said the plan could inadvertently undermine a push by Democrats to expand mail voting for voters under 65 during the COVID-19 pandemic.

“Hollins is making sure that voting in person is safer than going to the grocery store,” Jones said. “To the extent to which other county clerks follow his lead, it’s more and more difficult to make the case that voting in person represents a risk to someone’s health.”

In previous elections, Harris County operated about 40 early voting and 750 Election Day sites. The additional funding, Hollins said, will allow the county to operate 120 early voting and 808 Election Day locations.

He estimated 1.7 million voters may turn out, a record in any Harris County election and an increase of 361,000 since the 2016 presidential contest.

A spokeswoman for Hollins did not respond to a request for the total estimated cost of the 2020 election.

The Democratic majority on Commissioners Court approved the new funding on a party line vote, with the two Republican members opposed. Precinct 4 Commissioner Jack Cagle noted the county clerk plans to spend far more money on this election than in past presidential years, including \$3.2 million in 2012 and \$4.1 million in 2016.

Precinct 3 Commissioner Steve Radack pointed out that the heavily Democratic Precinct 1 is slated to host at least 20 percent more Election Day voting locations than other precincts.

“I find these numbers to be disturbing to be weighted the way it is,” Radack said.

Lillie Schecter, the Harris County Democratic Party chairwoman, praised the clerk’s office for making voting “as accessible as possible.”

Harris County Republican Party Chairman Keith Nielsen said the CARES Act funding would have been better spent on direct aid to businesses and residents harmed by the pandemic. He also said it was unwise for Hollins, an inexperienced clerk, to try to implement so many new initiatives in such an important election.

“In the midst of all that we have to cope with, it just seems like we’re making a worse situation, as far as what voters understand and how they understand where to go vote,” Nielsen said.

Hollins said his office clustered voting sites near where residents work and attend school, placing a disproportionate number inside Precinct 1, which includes much of the city of Houston. Since last year, county residents have been able to vote at any location, rather than their assigned precinct, former county clerk Diane



Trautman's signature initiative.

County clerks of both political parties have struggled to run hiccup-free elections, owing to Harris County's size and status as the third-most populous in the United States.

This fall brings additional challenges, namely the COVID-19 pandemic that has upended daily life and required people to avoid unnecessary contact with others.

Texans also no longer have the option to vote straight tickets, which the Legislature abolished after the 2018 general election. Seventy-six percent of Harris County voters punched a straight ticket that year, a far quicker method than individually choosing a candidate in each race.

This change, along with the need to enforce social distancing at polling sites, could cause long lines without a significant increase in locations to cast ballots, Hollins said.

Securing funding for polling locations and staff is one obstacle; finding sites to host them is another. Hollins said the county caught a break when Houston Independent School District decided to hold classes virtually, allowing the clerk's office to reserve classrooms and gymnasiums.

"If all districts that touch Harris County are able to do that, we'd have much better access... for voting on Election Day," Hollins said.

The clerk's office plans to open a massive voting center at NRG Arena, and also will move its vote-counting headquarters there. Hollins said the Toyota Center also has volunteered its cavernous facility for voting, a well-known location he hoped would prove popular.

Hollins, who was appointed to the job in May, has never run an election of this size, though he successfully administered the low-turnout July primary runoff. He is keen to avoid the blunders of his predecessors, including delayed results during last year's mayoral election and hourslong voting lines in the March primaries.

This year's presidential election is the last contest that will be the responsibility of the Harris County clerk. Commissioners Court last month created an independent elections administration office to take over the role, a move most major Texas counties have already made.

The first day of early voting is Oct. 13.

*zach.despart@chron.com*

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August 17, 2020

Honorable Judge and Commissioners Court  
 1001 Preston, 9<sup>th</sup> Floor  
 Houston, Texas 77002

	YES	NO	ABSTAIN
Judge Lina Hidalgo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Steve Radack	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. R. Jack Cagle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RE: General and Special Elections  
 November 3, 2020  
 Agenda – Notification of Election & Request for Election Details

Dear Members:

Pursuant to Section 4.001 of the Texas Election Code, this shall serve as notification of the November 3, 2020 General and Special Elections and request approval of the following election details.

One hundred and twenty (120) Early Voting locations are planned to be open October 13<sup>th</sup> - October 30<sup>th</sup>, 2020, at the locations and times described in the attached schedule. Please approve the attached Early Voting document.

Eight hundred and eight (808) shared countywide Election Day polling locations are planned. Locations will be posted in local newspapers and kept current on our website. Further, it is requested that the court adopt the locations of the countywide polling places for each Harris County election precinct on the attached list.

Ten (10) Election Day drop-off locations are planned for Election Judges to drop off election supplies and equipment.

The Notice of Public Test for the Logic and Accuracy Test will be published and conducted pursuant to Section 127.096 of the Texas Election Code.

The Notice of Election will be published in local newspapers pursuant to Section 4.003 of the Texas Election Code.

We will convene the Early Voting by Mail/Absentee, Early Voting by Personal Appearance, Signature Verification Committee, and Early Voting Ballot Board, as needed, to support verification of the Mail/Absentee ballots.

The election website [www.HarrisVotes.com](http://www.HarrisVotes.com) will be updated with current information regarding:

- Early Voting locations and times
- Lists of Election Day locations
- Sample Ballots
- Voter search to find and determine their Election Day voting location and voter specific ballot
- Information for Ballot by Mail Voters
- Information for Military and Overseas Voters
- General and Extensive information about voting in Harris County

Presented to Commissioners Court

August 25, 2020

Approve: G/E

Honorable Judge and Commissioners Court  
August 17, 2020  
Page 2

Lastly, it is requested that the court approve the following appointments pursuant to Sections 127.002-127.003 of the Texas Election Code relating to the conduct of the November 3, 2020 General and Special Elections:

1. Appointment of Michael Winn as Central Count Station Manager;
2. Appointment of Jason Bruce as Tabulation Supervisor;
3. Appointment of Jonathan Dulany, Mark Hopkins and Jeramie Gant as Assistants to the Tabulation Supervisor;
4. Appointment of William Pesota, Democratic Party Presiding Judge, and Kathy Rembert, Republican Party Presiding Judge for the Central Count Station.

**Please Note:** Voting locations, hours, and testing are subject to change.

Respectfully submitted for your approval,



Chris Hollins  
County Clerk, Harris County, Texas

CH/mf

Attachments

	A	B	C	D	I	J	K
1	<b>Proposed Early Voting Schedule for November 3, 2020 General and Special Elections</b>						
2	<i>Please note, these locations and hours are subject to change</i>						
3	<b>Tuesday, October 13<sup>th</sup> – Saturday, October 17<sup>th</sup></b> : 7:00am – 7:00pm						
4	<b>Sunday, October 18<sup>th</sup></b> : 12:00pm – 6:00pm						
5	<b>Monday, October 19<sup>th</sup> – Saturday, October 24<sup>th</sup></b> : 7:00am – 7:00pm						
6	<b>Sunday, October 25<sup>th</sup></b> : 12:00pm – 6:00pm						
7	<b>Monday, October 26<sup>th</sup></b> : 7:00am – 7:00pm						
8	<b>Tuesday, October 27<sup>th</sup> – Thursday, October 29<sup>th</sup></b> : 7:00am – 10:00pm						
9	<b>*Thursday, October 29<sup>th</sup></b> : <b>POSSIBLE (1) 24hr Location at NRG roles into Friday morning/TBD</b>						
10	<b>Friday, October 30<sup>th</sup></b> : 7:00am – 7:00pm						
11	<b>Tuesday, November 3<sup>rd</sup></b> : 7:00am – 7:00pm						
	PCT	HOME	HV	PollCode	Early Voting Location	Address 1	Address 2
12	NewDTV	DTV131K	H	DTV131K	Kingdom Builders Center	6011 West Orem Drive	
13	NewDTV	DTV134W	H	DTV134W	HCC West Loop South	5601 West Loop South	
14	NewDTV	DTV139F	H	DTV139F	Fallbrook Church	12512 Walters Road	
15	NewDTV	DTV141U	H	DTV141U	Humble Civic Center	8233 Will Clayton Pkwy	
16	NewDTV	DTV142H	H	DTV142H	Houston Food Bank	535 Portwall St	
17	NewDTV	DTV145C	H	DTV145C	HCC Southeast College Building C Parking Garage	6960 Rustic Street	at Garland Drive
18	NewDTV	DTV146N	H	DTV146N	NRG Center	1 NRG Pkwy	
19	NewDTV	DTV147C	H	DTV147C	Toyota Center	1510 Polk St	
20	NewDTV	DTV148Z	H	DTV148Z	Resurrection Metropolitan Community Church	2025 West 11th Street	near T C Jester B
21	NewDTV	DTV149H	H	DTV149H	HCC Alief Center	13803 Bissonnet St	
22	SRD001C	SRD001C	H	SRD001C	County Attorney Conference Center	1019 Congress Avenue	
23	0631	SRD126C	H	SRD126C	HCPL Barbara Bush Branch	6817 Cypresswood Drive	at Castletown Pa
24	SRD126P	SRD126P	H	SRD126P	Prairie View A&M University Northwest	9449 Grant Road	
25	SRD127A	SRD127A	H	SRD127A	Atascocita Branch Library	19520 Pinehurst Trail Drive	
26	0659	SRD127H	H	SRD127H	Lake Houston Church of Christ	8003 Farmingham Road	at FM 1960 East
27	SRD127J	SRD127J	H	SRD127J	Journey of Faith UMC	130 Atascocita Road	
28	SRD127V	SRD127V	H	SRD127V	Victory Houston	809 West Road	
29	0459	SRD127Y	H	SRD127Y	Kingwood Community Center	4102 Rustic Woods Drive	at West Lake Ho

Exhibit 10

	A	B	C	D	I	J	K
31	SRD128F	SRD128F	H	SRD128F	La Porte Recreation and Fitness Center	1322 South Broadway	
32	SRD128J	SRD128J	H	SRD128J	San Jacinto Community Center	604 Highland Woods Dr	
33	SRD128L	SRD128L	H	SRD128L	Crosby Community Center	409 Hare Road	
34	SRD128P	SRD128P	H	SRD128P	East Harris County Activity Center	7340 Spencer Highway	
35	SRD129	SRD129	H	SRD129	Freeman Branch Library	16616 Diana Lane	
36	0654	SRD129E	H	SRD129E	El Franco Lee Community Center	9500 Hall Road	at Kingspoint Roa
37	SRD129I	SRD129I	H	SRD129I	Clear Lake Islamic Center	17511 El Camino Real	
38	SRD129P	SRD129P	H	SRD129P	Pipers Meadow Community Center	15920 Pipers View Dr	
39	0545	SRD129S	H	SRD129S	Harris County Scarsdale Annex	10851 Scarsdale Boulevard	
40	0941	SRD129U	H	SRD129U	University of Houston Clear Lake	2700 Bay Area Boulevard	
41	SRD129X	SRD129X	H	SRD129X	To Be Determined		
42	0734	SRD130C	H	SRD130C	Juergens Hall Community Center	26026 Hempstead Highway	near Spring Cypr
43	SRD130S	SRD130S	H	SRD130S	Saint John Lutheran Church and School	15235 Spring Cypress Road	
44	SRD130T	SRD130T	H	SRD130T	Tomball Public Works Building	501B James Street	
45	0319	SRD131	H	SRD131	Hiram Clarke Multi Service Center	3810 West Fuqua Street	near Buffalo Spe
46	0649	SRD131I	H	SRD131I	To Be Determined		
47	SRD131K	SRD131K	H	SRD131K	Kingdom Builders Center	6011 West Orem Drive	
48	0458	SRD131P	H	SRD131P	The Power Center	12401 South Post Oak Road	at South Main St
49	SRD131R	SRD131R	H	SRD131R	Raindrop Turkish House	9301 West Belfort Boulevard	
50	SRD132A	SRD132A	H	SRD132A	Lakeland Activity Center	16919 North Bridgeland Lake Parkway	
51	SRD132H	SRD132H	H	SRD132H	Morton Ranch High School	21000 Franz Road	
52	0772	SRD132J	H	SRD132J	James E Taylor High School	20700 Kingsland Boulevard	at Dominion Driv
53	0119	SRD132K	H	SRD132K	Katy Branch Harris County Public Library	5414 Franz Road	near Drexel Stree
54	0305	SRD132L	H	SRD132L	Lone Star College Cypress Center	19710 Clay Road	near North Fry R
55	SRD132X	SRD132X	H	SRD132X	To Be Determined		
56	0483	SRD133	H	SRD133	Nottingham Park Building	926 Country Place Drive	at Kimberley Driv
57	0626	SRD133C	H	SRD133C	To Be Determined		
58	0272	SRD133U	H	SRD133U	Unity of Houston Annex	2819 Hillcroft Street	at Hillcroft Stree
59	SRD133X	SRD133X	H	SRD133X	To Be Determined		
60	SRD133Z	SRD133Z	H	SRD133Z	First Congregational Church	10840 Beinhorn Road	
61	0274	SRD134C	H	SRD134C	Crowne Plaza Houston Galleria	7611 Katy Freeway	at Silber Road

	A	B	C	D	I	J	K
62	0434	SRD134G	H	SRD134G	Hampton Inn Galleria	4500 Post Oak Parkway	at West Loop
63	SRD134I	SRD134I	H	SRD134I	Hampton Inn & Suites Houston I-10 Central	5820 Katy Freeway	
64	0200	SRD134M	H	SRD134M	Metropolitan MultiService Center	1475 West Gray Street	at Metropolitan
65	0361	SRD134R	H	SRD134R	Reckling Park - Rice University Athletics	2050 University	
66	SRD134W	SRD134W	H	SRD134W	HCC West Loop South	5601 West Loop South	
67	0074	SRD135	H	SRD135	City Jersey Village Municipal Government Center	16327 Lakeview Drive	near Acapulco Dr
68	0790	SRD135W	H	SRD135W	Richard and Meg Weekley Community Center	8440 Greenhouse Road	near Longenbaug
69	0008	SRD137B	H	SRD137B	Bayland Park Community Center	6400 Bissonnet Street	near Hillcroft
70	0559	SRD137C	H	SRD137C	Comfort Suites Westchase	2830 Wilcrest Drive	at Meadowglen
71	SRD137T	SRD137T	H	SRD137T	Tracy Gee Community Center	3599 Westcenter Drive	
72	SRD138I	SRD138I	H	SRD138I	ISGH Bear Creek Community Center	17250 Coventry Park Drive	
73	0407	SRD138J	H	SRD138J	John Knox Presbyterian Church	2525 Gessner Road	at Brigade Street
74	0621	SRD138K	H	SRD138K	Katherine Tyra Branch Library	16719 Clay Road	at Kinloch Drive
75	0707	SRD138S	H	SRD138S	Trini Mendenhall Community Center	1414 Wirt Road	at Shadyvilla Lan
76	0120	SRD138Z	H	SRD138Z	Encourager Church	10950 Katy Freeway	near Brittmore R
77	SRD139A	SRD139A	H	SRD139A	Acres Homes Multi Service Center	6719 West Montgomery Road	
78	SRD139F	SRD139F	H	SRD139F	Fallbrook Church	12512 Walters Road	
79	0848	SRD139V	H	SRD139V	Lone Star College Victory Center	4141 Victory Drive	at Vogel Road
80	0779	SRD140	H	SRD140	Hardy Street Senior Citizens Center	11901 West Hardy Road	at Canino Road
81	SRD140B	SRD140B	H	SRD140B	BakerRipley East Aldine Campus	3000 Aldine Mail Route Road	
82	0254	SRD140X	H	SRD140X	Anclamars W Reception Hall B	10330 Eastex Fwy	
83	SRD141B	SRD141B	H	SRD141B	Bammel Church of Christ - Kaleo Building	2700 Cypress Creek Parkway	
84	SRD141C	SRD141C	H	SRD141C	Northeast Multi Service Center	9720 Spaulding Street	
85	SRD141G	SRD141G	H	SRD141G	Green House International Church	200 West Greens Road	
86	SRD141I	SRD141I	H	SRD141I	Holiday Inn Houston Intercontinental Airport Hotel	15222 John F Kennedy Boulevard	
87	SRD141L	SRD141L	H	SRD141L	Lone Star College North Harris	2700 WW Thorne Drive	
88	SRD141N	SRD141N	H	SRD141N	HCC North Forest Campus	6010 Little York Road	
89	0108	SRD141U	H	SRD141U	Humble Civic Center	8233 Will Clayton Pkwy	
90	0045	SRD142C	H	SRD142C	C E King Middle School	8530 C E King Parkway	
91	0344	SRD142G	H	SRD142G	Greater Emmanuel Family Worship Center	3915 Kelley Street	at Sayers Street
92	SRD142H	SRD142H	H	SRD142H	Houston Food Bank	535 Portwall St	

	A	B	C	D	I	J	K
93	0042	SRD142K	H	SRD142K	Kashmere MultiService Center	4802 Lockwood Drive	at Rand Road
94	SRD142T	SRD142T	H	SRD142T	Tuffley Park Community Center	3200 Russell Street	
95	0460	SRD142W	H	SRD142W	North Channel Branch Library	15741 Wallisville Road	at Carpenters La
96	0141	SRD142Z	H	SRD142Z	Martin Flukinger Community Center	16003 Lorenzo Street	
97	0208	SRD143G	H	SRD143G	Alvin D Baggett Community Center	1302 Keene Street	
98	0010	SRD143R	H	SRD143R	Neighborhood Centers Inc Ripley House Campus	4410 Navigation Boulevard	at North Jenkins
99	0102	SRD144	H	SRD144	Lee College	200 Lee Drive	
100	0527	SRD144J	H	SRD144J	John Phelps Courthouse	101 South Richey Street	
101	0154	SRD145C	H	SRD145C	HCC Southeast College Building C Parking Garage	6960 Rustic Street	at Garland Drive
102	0541	SRD146F	H	SRD146F	Crowne Plaza Houston NRG	8686 Kirby Drive	
103	SRD146N	SRD146N	H	SRD146N	NRG Center* (possible 24 hr location, Thurs 10/29/2020)	1 NRG Pkwy	
104	SRD146S	SRD146S	H	SRD146S	Sunnyside Multi Service Center	9314 Cullen Boulevard	
105	SRD146Y	SRD146Y	H	SRD146Y	J J Roberson Family Life Center	4810 Redbud	
106	0223	SRD146Z	H	SRD146Z	Holiday Inn Houston NRG/Med Center	8111 Kirby Dr	at LaConcha Lane
107	SRD147B	SRD147B	H	SRD147B	Beverly Hills Community Center	9800 Kingspoint Road	
108	0016	SRD147C	H	SRD147C	Toyota Center	1510 Polk St	
109	0037	SRD147E	H	SRD147E	West End Multi Service Center	170 Heights Boulevard	
110	New	SRD147S	H	SRD147S	University of Saint Thomas	3800 Montrose Boulevard	
111	0390	SRD147S	H	SRD147S	Wheeler Avenue Baptist Church	3826 Wheeler Ave	
112	SRD147T	SRD147T	H	SRD147T	Texas Southern University	3100 Cleburne Street	
113	0389	SRD147U	H	SRD147U	University of Houston	4800 Calhoun Road	
114	0538	SRD147Y	H	SRD147Y	Alice McKean Young Neighborhood Library	5107 Griggs Road	near Martin Luth
115	SRD147Z	SRD147Z	H	SRD147Z	Shrine of The Black Madonna Cultural and Event Center	5309 Martin Luther King Boulevard	
116	0086	SRD148B	H	SRD148B	Sheraton Houston Brookhollow Hotel	3000 North Loop West Freeway	at Directors Row
117	SRD148C	SRD148C	H	SRD148C	Saint Charles Borromeo Church	501 Tidwell Rd	
118	0966	SRD148H	H	SRD148H	The Grand Tuscany Hotel	12801 Northwest Freeway	at Northwest Fre
119	SRD148M	SRD148M	H	SRD148M	Moody Park Community Center	3725 Fulton Street	
120	0054	SRD148S	H	SRD148S	SPJST Lodge Num 88	1435 Beall Street	at 15th Street
121	0902	SRD148Z	H	SRD148Z	Resurrection Metropolitan Community Church	2025 West 11th Street	near T C Jester B
122	SRD149H	SRD149H	H	SRD149H	HCC Alief Center	13803 Bissonnet St	
123	SRD149I	SRD149I	H	SRD149I	Mission Bend Islamic Center	6233 Tres Lagunas	



	A	B	C	D	I	J	K
124	SRD149X	SRD149X	H	SRD149X	To Be Determined		
125	SRD150B	SRD150B	H	SRD150B	To Be Determined		
126	0575	SRD150K	H	SRD150K	Klein Multipurpose Center	7500 FM 2920	west of Alvin A K
127	SRD150L	SRD150L	H	SRD150L	Lone Star College Creekside	8747 West New Harmony Trail	
128	SRD150R	SRD150R	H	SRD150R	Spring First Church	1851 Spring Cypress Road	
129	SRD150X	SRD150X	H	SRD150X	Hosanna Lutheran Church	16526 Ella Blvd	
130					*Polling locations may change up until Early Voting		
131							
132	<b>PCT</b>	<b>HOME</b>	<b>H_V</b>	<b>PollCode</b>	<b>Election Day Location</b>	<b>Address 1</b>	<b>Address 2</b>
133	0001	0001	H	0001	Crockett Elementary School	2112 Crockett Street	at Hemphill Street
134	0675	0001	V	0001	Crockett Elementary School	2112 Crockett Street	at Hemphill Street
135	0002	0002	H	0002	Trinity Lutheran Church Downtown	800 Houston Avenue	at Washington A
136	0681	0002	V	0002	Trinity Lutheran Church Downtown	800 Houston Avenue	at Washington A
137	0003	0003	H	0003	Hogg Middle School	1100 Merrill Street	at Norhill Boulev
138	0004	0004	H	0004	Travis Elementary School HISD	3311 Beauchamp Street	at Pecore Street
139	0005	0005	H	0005	Proctor Plaza Park Community Center	803 West Temple Street	at Julian Street
140	0006	0006	H	0006	Hirsch Elementary School	2633 Trailing Vine Road	near Canyon Lak
141	0009	0009	H	0009	Settegast Park Community Center	3000 Garrow Street	at Middleton Str
142	0856	0009	V	0009	Settegast Park Community Center	3000 Garrow Street	at Middleton Str
143	0889	0009	V	0009	Settegast Park Community Center	3000 Garrow Street	at Middleton Str
144	1005	0009	V	0009	Settegast Park Community Center	3000 Garrow Street	at Middleton Str
145	0011	0011	H	0011	Eastwood Park Community Center	5020 Harrisburg Boulevard	at Dumble Street
146	0013	0013	H	0013	To Be Determined		
147	0012	0013	V	0013	To Be Determined		
148	0014	0014	H	0014	Parker Elementary School	10626 Atwell Drive	at Willowbend B
149	0291	0014	V	0014	Parker Elementary School	10626 Atwell Drive	at Willowbend B
150	0015	0015	H	0015	To Be Determined		
151	0017	0017	H	0017	Shearn Elementary School	9802 Stella Link Road	at Osby Drive
152	0018	0018	H	0018	Longfellow Elementary School	3617 Norris Drive	at Timberside Dr
153	0931	0018	V	0018	Longfellow Elementary School	3617 Norris Drive	at Timberside Dr
154	0932	0018	V	0018	Longfellow Elementary School	3617 Norris Drive	at Timberside Dr
155	0933	0018	V	0018	Longfellow Elementary School	3617 Norris Drive	at Timberside Dr

	A	B	C	D	I	J	K
156	0019	0019	H	0019	New High School for Law Enforcement	3505 Coyle Street	at Tharp Avenue
157	0890	0019	V	0019	New High School for Law Enforcement	3505 Coyle Street	at Tharp Avenue
158	0892	0019	V	0019	New High School for Law Enforcement	3505 Coyle Street	at Tharp Avenue
159	0020	0020	H	0020	Trinity Episcopal Church	1015 Holman Street	at Main Street
160	0021	0021	H	0021	Emancipation Park	3018 Emancipation Avenue	near Elgin Street
161	0198	0021	V	0021	Emancipation Park	3018 Emancipation Avenue	near Elgin Street
162	0022	0022	H	0022	Foerster Elementary School	14200 Fonmeadow Drive	at Haviland Street
163	0638	0022	V	0022	Foerster Elementary School	14200 Fonmeadow Drive	at Haviland Street
164	0024	0024	H	0024	Baylor College of Medicine Academy at Ryan Middle Sch	2610 Elgin Street	at Live Oak Street
165	0025	0024	V	0024	Baylor College of Medicine Academy at Ryan Middle Sch	2610 Elgin Street	at Live Oak Street
166	0026	0026	H	0026	To Be Determined		
167	0027	0027	H	0027	Eastwood Academy Charter High School	1315 Dumble Street	at Clay Street
168	0028	0028	H	0028	Wyndham Park Apartments	2700 Rollingbrook Drive	at Rollingcreek D
169	0029	0029	H	0029	To Be Determined		
170	0030	0030	H	0030	To Be Determined		
171	0680	0030	V	0030	To Be Determined		
172	0918	0030	V	0030	To Be Determined		
173	0031	0031	H	0031	To Be Determined		
174	0032	0032	H	0032	To Be Determined		
175	0808	0032	V	0032	To Be Determined		
176	0033	0033	H	0033	African American Library	1300 Victor Street	enter on Clevela
177	0034	0034	H	0034	Gregory Lincoln Education Center	1101 Taft Street	at West Clay Stre
178	0036	0036	H	0036	Daniel Ortiz Middle School	6767 Telephone Road	at Dillon Street
179	0749	0036	V	0036	Daniel Ortiz Middle School	6767 Telephone Road	at Dillon Street
180	0038	0038	H	0038	Woodrow Wilson Elementary School	2100 Yupon Street	at Indiana Street
181	0039	0039	H	0039	Bering United Methodist Church	1440 Harold Street	at Mulberry Stre
182	0041	0041	H	0041	To Be Determined		
183	0043	0043	H	0043	To Be Determined		
184	0044	0044	H	0044	Leonel J Castillo Community Center	2101 South Street	at Henry Street
185	0369	0044	V	0044	Leonel J Castillo Community Center	2101 South Street	at Henry Street
186	0999	0044	V	0044	Leonel J Castillo Community Center	2101 South Street	at Henry Street

	A	B	C	D	I	J	K
187	0046	0046	H	0046	John Marshall Middle School	1115 Noble Street	at Cochran Street
188	0736	0046	V	0046	John Marshall Middle School	1115 Noble Street	at Cochran Street
189	0844	0046	V	0046	John Marshall Middle School	1115 Noble Street	at Cochran Street
190	0047	0047	H	0047	Dogan Elementary School	4202 Liberty Road	near Altoona Street
191	0201	0047	V	0047	Dogan Elementary School	4202 Liberty Road	near Altoona Street
192	0867	0047	V	0047	Dogan Elementary School	4202 Liberty Road	near Altoona Street
193	0900	0047	V	0047	Dogan Elementary School	4202 Liberty Road	near Altoona Street
194	0940	0047	V	0047	Dogan Elementary School	4202 Liberty Road	near Altoona Street
195	0048	0048	H	0048	Mickey Leland College Preparatory Academy for Young Men	1700 Gregg Street	at Lyons Avenue
196	0049	0049	H	0049	Hockley Community Center	28515 Old Washington Road	
197	0121	0049	V	0049	Hockley Community Center	28515 Old Washington Road	
198	0050	0050	H	0050	To Be Determined		
199	0051	0051	H	0051	To Be Determined		
200	0052	0052	H	0052	West End Multi Service Center	170 Heights Boulevard	near Washington
201	0053	0053	H	0053	To Be Determined		
202	0886	0053	V	0053	To Be Determined		
203	0887	0053	V	0053	To Be Determined		
204	0055	0055	H	0055	Hampton Inn and Suites	5820 Katy Freeway	at Washington Avenue
205	0056	0056	H	0056	To Be Determined		
206	0057	0057	H	0057	Heights High School	560 East 14th Street	at Columbia
207	0058	0058	H	0058	Love Park Community Center	1000 West 12th Street	at North Shepherd
208	0059	0059	H	0059	Field Elementary School	703 East 17th Street	at Studewood Street
209	0060	0060	H	0060	Lanier Middle School	2600 Woodhead Street	at Westheimer Road
210	0061	0061	H	0061	To Be Determined		
211	0062	0062	H	0062	Denver Harbor Park Community Center	6402 Market Street	at Rouse Street
212	0187	0062	V	0062	Denver Harbor Park Community Center	6402 Market Street	at Rouse Street
213	0810	0062	V	0062	Denver Harbor Park Community Center	6402 Market Street	at Rouse Street
214	0063	0063	H	0063	San Jacinto Community Center	604 Highland Woods Drive	near Hackberry Lane
215	0064	0064	H	0064	Gallegos Elementary School	7415 Harrisburg Boulevard	at 74th Street
216	0065	0065	H	0065	DeZavala Park Community Center	907 76th Street	at Avenue H
217	0066	0066	H	0066	John R Harris Elementary School	801 Broadway Street	at Magnolia Street

	A	B	C	D	I	J	K
218	0067	0067	H	0067	Brookline Elementary School	6301 South Loop 610 East	at Askew Street
219	0068	0068	H	0068	Sunnyside Park Community Center	3502 Bellfort Street	at Woodard Stre
220	0863	0068	V	0068	Sunnyside Park Community Center	3502 Bellfort Street	at Woodard Stre
221	0069	0069	H	0069	Edison Middle School	6901 Avenue I	at Maltby Street
222	0070	0070	H	0070	Memorial Elementary School	6401 Arnot Street	at Pickens Street
223	0071	0071	H	0071	To Be Determined		
224	0072	0072	H	0072	Mason Park Community Center	541 South 75th Street	at Tipps Street
225	0075	0075	H	0075	Helms Community Learning Center	503 West 21st Street	at Lawrence Stre
226	0076	0076	H	0076	To Be Determined		
227	0078	0078	H	0078	Harris County Department of Education	6300 Irvington Boulevard	at Caplin Street
228	0079	0079	H	0079	Charles Eliot Elementary School	6411 Laredo Street	at Kress Street
229	0080	0080	H	0080	Judson Robinson Junior Elementary School	12425 Woodforest Boulevard	near Wild Plum S
230	0082	0082	H	0082	To Be Determined		
231	0084	0084	H	0084	Deer Park Junior High School	410 East 9th Street	near Columbia S
232	0346	0084	V	0084	Deer Park Junior High School	410 East 9th Street	near Columbia S
233	0950	0084	V	0084	Deer Park Junior High School	410 East 9th Street	near Columbia S
234	0085	0085	H	0085	Saint Luke the Evangelist Episcopal Church	3530 Wheeler Avenue	at Attucks Street
235	0313	0086	V	0086	Sheraton Houston Brookhollow Hotel	3000 North Loop West Freeway	at Directors Row
236	0087	0087	H	0087	West University Scout House	6108 Edloe Street	near Rice Boulev
237	0906	0087	V	0087	West University Scout House	6108 Edloe Street	near Rice Boulev
238	0089	0089	H	0089	Southside Place Park Clubhouse	3743 Garnet Street	at Chilos Street
239	0090	0090	H	0090	City of El Lago City Hall	411 Tallowood Drive	at Ferndale Drive
240	0091	0091	H	0091	Webster Recreation Center	311 Pennsylvania Avenue	at South Austin S
241	0750	0091	V	0091	Webster Recreation Center	311 Pennsylvania Avenue	at South Austin S
242	0907	0091	V	0091	Webster Recreation Center	311 Pennsylvania Avenue	at South Austin S
243	0092	0092	H	0092	Armand Bayou Elementary School	16000 Hickory Knoll Drive	at Running Sprin
244	0093	0093	H	0093	To Be Determined		
245	0770	0093	V	0093	To Be Determined		
246	0908	0093	V	0093	To Be Determined		
247	0095	0095	H	0095	Econolodge West Energy Corridor	715 Highway 6 South	at Memorial Driv
248	0096	0096	H	0096	Sheldon ISD Administration Building Network Operator	11411B CE King Parkway	near Garrett Roa

	A	B	C	D	I	J	K
249	0097	0097	H	0097	Newport Elementary School	430 North Diamondhead Boulevard	at Port O Call
250	1008	0097	V	0097	Newport Elementary School	430 North Diamondhead Boulevard	at Port O Call
251	0098	0098	H	0098	West Campus Gym	24403 East Lake Houston Parkway	at Berrys Way
252	0099	0099	H	0099	Sterling Municipal Library	1 Mary Elizabeth Wilbanks Avenue	at West Sterling
253	0100	0100	H	0100	To Be Determined		
254	0103	0103	H	0103	To Be Determined		
255	0104	0104	H	0104	To Be Determined		
256	0105	0105	H	0105	Clark Park Community Center	9718 Clark Road	at Dipping Lane
257	0107	0107	H	0107	Berry Elementary School	2310 Berry Road	at Schneider Stre
258	0702	0107	V	0107	Berry Elementary School	2310 Berry Road	at Schneider Stre
259	0775	0107	V	0107	Berry Elementary School	2310 Berry Road	at Schneider Stre
260	0109	0109	H	0109	To Be Determined		
261	0110	0110	H	0110	To Be Determined		
262	0912	0110	V	0110	To Be Determined		
263	0111	0111	H	0111	To Be Determined		
264	0112	0112	H	0112	Krahn Elementary School	9502 Eday Drive	at Bonnie Sean
265	0113	0113	H	0113	Klein Forest High School	11400 Misty Valley	
266	0114	0114	H	0114	Samuel Matthews Park Community Center	1728 Hufsmith Road	at Stanolind Road
267	0915	0114	V	0114	Samuel Matthews Park Community Center	1728 Hufsmith Road	at Stanolind Road
268	0116	0116	H	0116	City of Spring Valley City Hall	1025 Campbell Road	near Bace Drive
269	0209	0116	V	0116	City of Spring Valley City Hall	1025 Campbell Road	near Bace Drive
270	0117	0117	H	0117	Oyo Townhouse	12439 Northwest Freeway	near Bingle Road
271	0446	0117	V	0117	Oyo Townhouse	12439 Northwest Freeway	near Bingle Road
272	0809	0117	V	0117	Oyo Townhouse	12439 Northwest Freeway	near Bingle Road
273	0118	0118	H	0118	To Be Determined		
274	0122	0122	H	0122	John F Kennedy Elementary School	400 Victoria Drive	at Werner Street
275	0836	0122	V	0122	John F Kennedy Elementary School	400 Victoria Drive	at Werner Street
276	0123	0123	H	0123	Montrose Branch Houston Public Library	4100 Montrose Boulevard	at Colquitt Street
277	0802	0123	V	0123	Montrose Branch Houston Public Library	4100 Montrose Boulevard	at Colquitt Street
278	0922	0123	V	0123	To Be Determined		
279	0124	0124	H	0124	Ault Elementary School	21010 Maple Village Drive	at Vintage Falls D

	A	B	C	D	I	J	K
280	0125	0125	H	0125	Bleyl Middle School	10800 Mills Road	at Jones Road
281	0126	0126	H	0126	Rosehill Elementary School	17950 Waller Tomball Road	at Decker Prairie
282	0127	0127	H	0127	To Be Determined		
283	0128	0128	H	0128	Civic Center Auditorium	7008 South Rice Avenue	
284	0826	0128	V	0128	Civic Center Auditorium	7008 South Rice Avenue	
285	0129	0129	H	0129	Briargrove Elementary School	6145 San Felipe Street	at Briarmead Drive
286	0130	0130	H	0130	To Be Determined		
287	0572	0130	V	0130	To Be Determined		
288	0131	0131	H	0131	Abiding Faith United Methodist Church	14300 Alameda School Road	at Fellows Road
289	0132	0132	H	0132	Saint Philip Neri Catholic Church	10960 Martin Luther King Boulevard	at Cedarburg Drive
290	0607	0132	V	0132	Saint Philip Neri Catholic Church	10960 Martin Luther King Boulevard	at Cedarburg Drive
291	0133	0133	H	0133	West University Elementary School	3756 University Boulevard	at Edloe Street
292	0135	0135	H	0135	River Oaks Recreation Center	3600 Locke Lane	at Timber Lane
293	0177	0135	V	0135	River Oaks Recreation Center	3600 Locke Lane	at Timber Lane
294	0136	0136	H	0136	Saint James Episcopal Church	3129 Southmore Boulevard	at the Rail Road
295	0138	0138	H	0138	New Pleasant Grove Baptist Church	3221 Bain Street	at Linn Street
296	0139	0139	H	0139	Lamar Senior High School	3325 Westheimer Road	at Eastside Street
297	0140	0140	H	0140	Thompson Elementary School	6121 Tierwester Street	at Griggs Road
298	0228	0140	V	0140	Thompson Elementary School	6121 Tierwester Street	at Griggs Road
299	0143	0143	H	0143	Cy Fair College Library at Lone Star	9191 Barker Cypress Road	at West Road
300	0144	0144	H	0144	To Be Determined		
301	0145	0145	H	0145	To Be Determined		
302	0146	0146	H	0146	Platou Community Center	11655 Chimney Rock Road	at Burdine Street
303	0147	0147	H	0147	To Be Determined		
304	0148	0148	H	0148	Michael E DeBakey High School for Health Professions	2545 Pressler Street	at West Holcomb
305	0149	0149	H	0149	Woodie Coker Andre Elementary School	8111 Fry Road	near Longenbaugh
306	0624	0149	V	0149	Woodie Coker Andre Elementary School	8111 Fry Road	near Longenbaugh
307	0901	0149	V	0149	Woodie Coker Andre Elementary School	8111 Fry Road	near Longenbaugh
308	0150	0150	H	0150	To Be Determined		
309	0371	0150	V	0150	To Be Determined		
310	0832	0150	V	0150	To Be Determined		

	A	B	C	D	I	J	K
311	0152	0152	H	0152	Shady Lane Park Community Center	10220 Shady Lane	at Parker Road
312	0153	0153	H	0153	Janowski Elementary School	7500 Bauman Road	at Van Molan Str
313	0155	0155	H	0155	Kirk Elementary School	12421 Tanner Road	East of North Eld
314	0156	0156	H	0156	Lora B Peck Elementary School	5001 Martin Luther King Boulevard	at Arvilla Lane
315	0157	0157	H	0157	Highland Park Recreation Center	3316 De Soto Street	at Balbo Street
316	0158	0158	H	0158	Reynolds Elementary School	9601 Rosehaven Drive	at Sunbeam Stre
317	0159	0159	H	0159	Bruce Elementary School	510 Jensen Drive	at Grayson Stree
318	0160	0159	V	0159	Bruce Elementary School	510 Jensen Drive	at Grayson Stree
319	0866	0159	V	0159	Bruce Elementary School	510 Jensen Drive	at Grayson Stree
320	0924	0159	V	0159	Bruce Elementary School	510 Jensen Drive	at Grayson Stree
321	0962	0159	V	0159	Bruce Elementary School	510 Jensen Drive	at Grayson Stree
322	0161	0161	H	0161	Julia C Hester House	2020 Solo Street	at Rawley Street
323	0412	0161	V	0161	Julia C Hester House	2020 Solo Street	at Rawley Street
324	0865	0161	V	0161	Julia C Hester House	2020 Solo Street	at Rawley Street
325	0162	0162	H	0162	To Be Determined		
326	0925	0162	V	0162	To Be Determined		
327	0163	0163	H	0163	First Baptist Church of Jacinto City	10701 Wiggins Street	at Kerbey Street
328	0164	0164	H	0164	Clinton Park Community Center	200 Mississippi Street	at Midway Stree
329	0528	0164	V	0164	Clinton Park Community Center	200 Mississippi Street	at Midway Stree
330	0857	0164	V	0164	Clinton Park Community Center	200 Mississippi Street	at Midway Stree
331	0165	0165	H	0165	To Be Determined		
332	0166	0166	H	0166	Saint Anne de Beaupre Catholic Church	2810 Link Road	at East 29th Stre
333	0993	0166	V	0166	Saint Anne de Beaupre Catholic Church	2810 Link Road	at East 29th Stre
334	0168	0168	H	0168	Felix Cook Junior Elementary School	7115 Lockwood Drive	at Bennington St
335	0583	0168	V	0168	Felix Cook Junior Elementary School	7115 Lockwood Drive	at Bennington St
336	0169	0169	H	0169	To Be Determined		
337	0170	0170	H	0170	To Be Determined		
338	0171	0171	H	0171	To Be Determined		
339	0930	0171	V	0171	To Be Determined		
340	0173	0173	H	0173	To Be Determined		
341	0174	0174	H	0174	University Baptist Church	16106 Middlebrook Drive	at Glenshannon S

	A	B	C	D	I	J	K
342	0175	0175	H	0175	To Be Determined		
343	0176	0176	H	0176	Lovett Elementary School	8814 South Rice Avenue	at Jason Street
344	0179	0179	H	0179	Freed Park Clubhouse	6818 Shadyvilla Lane	at Afton
345	0180	0180	H	0180	M E Foster Elementary School	3919 Ward Street	near Scott Street
346	0181	0181	H	0181	Pearl Rucker Elementary School	5201 Vinett Street	at Ahrens Street
347	0094	0181	V	0181	Pearl Rucker Elementary School	5201 Vinett Street	at Ahrens Street
348	0183	0183	H	0183	West University Community Building and Senior Center	6104 Auden Street	at Rice Boulevard
349	0184	0184	H	0184	Independence Hall Apartments Community Room	6 Burruss Street	at Airline Drive
350	0185	0185	H	0185	To Be Determined		
351	0188	0188	H	0188	To Be Determined		
352	0777	0188	V	0188	To Be Determined		
353	0189	0189	H	0189	Oak Forest Elementary School	1401 West 43rd Street	at Oak Forest Drive
354	0190	0190	H	0190	To Be Determined		
355	0394	0190	V	0190	To Be Determined		
356	0191	0191	H	0191	To Be Determined		
357	0193	0193	H	0193	To Be Determined		
358	0194	0194	H	0194	MacGregor Elementary School	4801 LaBranch Street	at Wentworth Street
359	0195	0195	H	0195	To Be Determined		
360	0197	0197	H	0197	Osborne Elementary School	800 Ringold Street	at Lawn Street
361	0987	0197	V	0197	Osborne Elementary School	800 Ringold Street	at Lawn Street
362	0199	0199	H	0199	To Be Determined		
363	0202	0202	H	0202	Wheatley Senior High School	4801 Providence Street	at Finnigan Street
364	0929	0202	V	0202	Wheatley Senior High School	4801 Providence Street	at Finnigan Street
365	0204	0204	H	0204	Lazybrook Baptist Church	1822 West 18th Street	near Ella Boulevard
366	0205	0205	H	0205	Fonwood Elementary School	9709 Mesa Drive	at Sterlingshire Street
367	0206	0206	H	0206	Montie Beach Park Community Center	915 Northwood Street	at Coronado Street
368	0207	0207	H	0207	To Be Determined		
369	0210	0210	H	0210	Saint Marys Catholic Church	3006 Rosedale Street	at Ennis Street
370	0211	0211	H	0211	Chavez High School	8501 Howard Drive	
371	0142	0211	V	0211	Chavez High School	8501 Howard Drive	
372	0213	0213	H	0213	To Be Determined		



	A	B	C	D	I	J	K
373	0214	0214	H	0214	Cunningham Elementary School	5100 Gulfton Street	near South Rice
374	0215	0215	H	0215	Faith American Lutheran Church	4600 Bellaire Boulevard	at White Drive
375	0182	0215	V	0215	Faith American Lutheran Church	4600 Bellaire Boulevard	at White Drive
376	0819	0215	V	0215	Faith American Lutheran Church	4600 Bellaire Boulevard	at White Drive
377	0216	0216	H	0216	Montgomery Elementary School	4000 Simsbrook Drive	at Bathurst Drive
378	0217	0217	H	0217	First Cumberland Presbyterian Church	2119 Avalon Place	at Peckham Street
379	0218	0218	H	0218	J P Henderson Elementary School	1800 Dismuke Street	at Berremore Str
380	0219	0219	H	0219	Mount Olive Baptist Church	3515 Yellowstone Boulevard	at Cadillac Street
381	0220	0220	H	0220	L W Kolarik Education Center	1120 Sheldon Road	at Bear Bayou Dr
382	0221	0221	H	0221	Meadowcreek Village Park Community Center	5333 Berry Creek Drive	at Winding Creek
383	0222	0222	H	0222	To Be Determined		
384	0224	0224	H	0224	Linkwood Park Community Center	3699 Norris Drive	at Ilona Lane
385	0891	0224	V	0224	Linkwood Park Community Center	3699 Norris Drive	at Ilona Lane
386	0974	0224	V	0224	Linkwood Park Community Center	3699 Norris Drive	at Ilona Lane
387	0225	0225	H	0225	To Be Determined		
388	0226	0226	H	0226	Ingrando Park Recreation Center	7302 Keller Street	at Kellogg Street
389	0227	0227	H	0227	River Oaks Elementary School	2008 Kirby Drive	at San Felipe Stre
390	0229	0229	H	0229	Jacinto City Town Center Community Center	1025 Oates Road	at Challenger 7
391	0769	0229	V	0229	Jacinto City Town Center Community Center	1025 Oates Road	at Challenger 7
392	0838	0229	V	0229	Jacinto City Town Center Community Center	1025 Oates Road	at Challenger 7
393	0905	0229	V	0229	Jacinto City Town Center Community Center	1025 Oates Road	at Challenger 7
394	0935	0229	V	0229	Jacinto City Town Center Community Center	1025 Oates Road	at Challenger 7
395	0230	0230	H	0230	To Be Determined		
396	0574	0230	V	0230	To Be Determined		
397	0231	0231	H	0231	Golfcrest Elementary School	7414 Fairway Drive	at Joplin Street
398	0172	0231	V	0231	Golfcrest Elementary School	7414 Fairway Drive	at Joplin Street
399	0766	0231	V	0231	Golfcrest Elementary School	7414 Fairway Drive	at Joplin Street
400	0945	0231	V	0231	Golfcrest Elementary School	7414 Fairway Drive	at Joplin Street
401	0946	0231	V	0231	Golfcrest Elementary School	7414 Fairway Drive	at Joplin Street
402	0232	0232	H	0232	Pershing Middle School	3838 Blue Bonnet Boulevard	at Braes Bouleva
403	0956	0232	V	0232	Pershing Middle School	3838 Blue Bonnet Boulevard	at Braes Bouleva

	A	B	C	D	I	J	K
404	0233	0233	H	0233	Girl Scouts of San Jacinto Council	3000 Southwest Freeway	near Wakeforest
405	0234	0234	H	0234	To Be Determined		
406	0235	0235	H	0235	Hartsfield Elementary School	5001 Perry Street	at Millart Street
407	0236	0236	H	0236	Norris Chapel United Methodist Church	7415 Saint Lo Road	at Van Fleet Stre
408	0237	0237	H	0237	Jones Future Academy	7414 Saint Lo Road	at Van Fleet Stre
409	0238	0238	H	0238	Kelso Elementary School	5800 Southmund Street	at Crestridge Stre
410	0239	0239	H	0239	Edgewood Park Community Center	5803 Bellfort Street	at Southbank Str
411	0822	0239	V	0239	Edgewood Park Community Center	5803 Bellfort Street	at Southbank Str
412	0240	0240	H	0240	To Be Determined		
413	0242	0242	H	0242	To Be Determined		
414	0244	0244	H	0244	Willbern Elementary School	10811 Goodspring Drive	at Legacy Park Dr
415	0245	0245	H	0245	Kohrville Elementary School	11600 Woodland Shore Drive	at Sandy Woods
416	0246	0246	H	0246	To Be Determined		
417	0247	0247	H	0247	Cuney Homes Community Center	3260 Truxillo Street	at Burkett Street
418	0248	0248	H	0248	To Be Determined		
419	0249	0249	H	0249	To Be Determined		
420	0250	0250	H	0250	JD Walker Community Center	7613 Wade Road	near Jones Road
421	0251	0251	H	0251	Charles R Drew Elementary School	223 Red Oak Avenue	at Penn Street
422	0252	0252	H	0252	Greater New Hope Missionary Baptist Church	10505 Bainbridge Street	at Calgary Lane
423	0253	0253	H	0253	To Be Determined		
424	0255	0255	H	0255	Red Elementary School	4520 Tonawanda Drive	at Cliffwood Driv
425	0256	0256	H	0256	William S Sutton Elementary School	7402 Albacore Drive	at Sharpview Dri
426	0938	0256	V	0256	William S Sutton Elementary School	7402 Albacore Drive	at Sharpview Dri
427	0257	0257	H	0257	To Be Determined		
428	0258	0258	H	0258	To Be Determined		
429	0259	0259	H	0259	Pleasantville Elementary School	1431 Gellhorn Drive	at Cowart Street
430	0260	0260	H	0260	Lafaye Johnson Lee Elementary School	12900 West Little York Road	at McKendree Pa
431	0904	0260	V	0260	Lafaye Johnson Lee Elementary School	12900 West Little York Road	at McKendree Pa
432	0939	0260	V	0260	Lafaye Johnson Lee Elementary School	12900 West Little York Road	at McKendree Pa
433	0261	0261	H	0261	American Legion Post No 586	708 East Parker Road	at Guse Street
434	0683	0261	V	0261	American Legion Post No 586	708 East Parker Road	at Guse Street

	A	B	C	D	I	J	K
435	0795	0261	V	0261	American Legion Post No 586	708 East Parker Road	at Guse Street
436	0914	0261	V	0261	American Legion Post No 586	708 East Parker Road	at Guse Street
437	0989	0261	V	0261	American Legion Post No 586	708 East Parker Road	at Guse Street
438	0262	0262	H	0262	To Be Determined		
439	0263	0263	H	0263	To Be Determined		
440	0264	0264	H	0264	To Be Determined		
441	0265	0265	H	0265	To Be Determined		
442	0266	0266	H	0266	To Be Determined		
443	0267	0267	H	0267	To Be Determined		
444	0268	0268	H	0268	ChristChurch Presbyterian	5001 Bellaire Boulevard	at 3rd Street
445	0269	0269	H	0269	To Be Determined		
446	0270	0270	H	0270	Clifton Middle School	6001 Golden Forest Drive	at Lost Forest Dr
447	0271	0271	H	0271	Cloverland Park Bessie Swindle Community Center	11800 Scott Street	at Hickok Lane
448	0273	0273	H	0273	To Be Determined		
449	0275	0275	H	0275	Glenbrook United Methodist Church	8635 Glen Valley Drive	at Wilmerdean S
450	0791	0275	V	0275	Glenbrook United Methodist Church	8635 Glen Valley Drive	at Wilmerdean S
451	0276	0276	H	0276	Bastian Elementary School	5051 Bellfort Street	at Jutland Road
452	0277	0277	H	0277	To Be Determined		
453	0278	0278	H	0278	Sunset United Methodist Church	709 Allendale Road	at Lillian Street
454	0708	0278	V	0278	Sunset United Methodist Church	709 Allendale Road	at Lillian Street
455	0279	0279	H	0279	Korean First Baptist Church	4209 Red Bluff Road	near Randolph R
456	0280	0280	H	0280	To Be Determined		
457	0281	0281	H	0281	Godwin Park Community Center	5101 Rutherglenn Drive	at Balmforth Lan
458	0317	0281	V	0281	Godwin Park Community Center	5101 Rutherglenn Drive	at Balmforth Lan
459	0282	0282	H	0282	Briar Meadow Clubhouse	3203 Freshmeadows Drive	at Richmond Ave
460	0283	0283	H	0283	Cooper Elementary School	18655 Imperial Valley Drive	at Chisholm Trail
461	0284	0284	H	0284	Bonham Elementary School	8302 Braes River Drive	at Carew Street
462	0285	0285	H	0285	J P Cornelius Elementary School	7475 Westover Street	at Winterhaven I
463	0921	0285	V	0285	J P Cornelius Elementary School	7475 Westover Street	at Winterhaven I
464	0286	0286	H	0286	Windsor Village Community Center	14441 Croquet Lane	at Grapevine Str
465	0287	0287	H	0287	Willow Meadows Baptist Church	4300 West Bellfort Street	at Greenwillow S

	A	B	C	D	I	J	K
466	0947	0287	V	0287	Willow Meadows Baptist Church	4300 West Bellfort Street	at Greenwillow S
467	0948	0287	V	0287	Willow Meadows Baptist Church	4300 West Bellfort Street	at Greenwillow S
468	0949	0287	V	0287	Willow Meadows Baptist Church	4300 West Bellfort Street	at Greenwillow S
469	0288	0288	H	0288	Reagan Webb Mading Elementary School	8511 Crestmont Street	at Reed Road
470	0289	0289	H	0289	To Be Determined		
471	0290	0290	H	0290	To Be Determined		
472	0292	0292	H	0292	Audrey H Lawson Middle School	14000 Standliff Street	at Simsbrook Dri
473	0293	0293	H	0293	Andy Anderson Elementary School	5727 Ludington Drive	at Landsdown Dr
474	0294	0294	H	0294	To Be Determined		
475	0295	0295	H	0295	To Be Determined		
476	0296	0296	H	0296	Lansdale Park Community Center	8201 Roos Road	at Waldo Drive
477	0297	0297	H	0297	Sharpstown Park Community Center	6600 Harbor Town Drive	at Bellaire Boule
478	0298	0298	H	0298	Waldo Emerson Elementary School	9533 Skyline Drive	at Tanglewilde S
479	0686	0298	V	0298	Waldo Emerson Elementary School	9533 Skyline Drive	at Tanglewilde S
480	0299	0299	H	0299	To Be Determined		
481	0300	0300	H	0300	Sampson Elementary School	16002 Coles Crossing Drive North	at Coles Crossing
482	0301	0301	H	0301	To Be Determined		
483	0302	0302	H	0302	Deepwater Junior High School	501 Glenmore Drive	at Portsmouth St
484	0535	0302	V	0302	Deepwater Junior High School	501 Glenmore Drive	at Portsmouth St
485	0303	0303	H	0303	To Be Determined		
486	0304	0304	H	0304	Herod Elementary School	5627 Jason Street	at Mullins Drive
487	0306	0306	H	0306	CCISD Learner Support Center	2903 Falcon Pass	near Krueger Wa
488	0307	0307	H	0307	City of Nassau Bay Council Chamber	1800 Space Park Drive No 200	at Saturn Lane
489	0308	0308	H	0308	Courtyard by Marriott Houston Hobby	9190 Gulf Freeway	at Tallyho Road
490	0850	0308	V	0308	Courtyard by Marriott Houston Hobby	9190 Gulf Freeway	at Tallyho Road
491	0309	0309	H	0309	To Be Determined		
492	0310	0310	H	0310	To Be Determined		
493	0311	0311	H	0311	Ed White Elementary School	9001 Triola Lane	at Jorine Drive
494	0312	0312	H	0312	Mark White Elementary School	2515 Old Farm Road	near Woodway L
495	0314	0314	H	0314	Jan Hansen Aragon Middle School	16823 West Road	at Queenston Str
496	0315	0315	H	0315	Elrod Elementary School	6230 Dumfries Drive	At Bob White Dri

	A	B	C	D	I	J	K
497	0685	0315	V	0315	Elrod Elementary School	6230 Dumfries Drive	At Bob White Drive
498	0952	0315	V	0315	Elrod Elementary School	6230 Dumfries Drive	At Bob White Drive
499	0316	0316	H	0316	Evelyn Rubenstein Jewish Community Center	5601 South Braeswood Boulevard	at Atwell Drive
500	0318	0318	H	0318	Hobby Elementary School	4021 Woodmont Drive	at White Heath
501	0994	0318	V	0318	Hobby Elementary School	4021 Woodmont Drive	at White Heath
502	0320	0320	H	0320	Woodland Lodge No 1157	8337 Sweetwater Lane	at Canino Road
503	0321	0321	H	0321	Melrose Park Community Center	1001 Canino Road	at Downey Street
504	0324	0324	H	0324	Harper Alternative School	4425 North Shepherd Drive	between 43rd St
505	0073	0324	V	0324	Harper Alternative School	4425 North Shepherd Drive	between 43rd St
506	0325	0325	H	0325	High School Ahead Academy	5320 Yale Street	at West Donovan
507	0326	0326	H	0326	Armandina Farias Early Childhood Center	515 Rittenhouse Street	at Nordling Road
508	0077	0326	V	0326	Armandina Farias Early Childhood Center	515 Rittenhouse Street	at Nordling Road
509	0787	0326	V	0326	Armandina Farias Early Childhood Center	515 Rittenhouse Street	at Nordling Road
510	0835	0326	V	0326	Armandina Farias Early Childhood Center	515 Rittenhouse Street	at Nordling Road
511	0909	0326	V	0326	Armandina Farias Early Childhood Center	515 Rittenhouse Street	at Nordling Road
512	0910	0326	V	0326	Armandina Farias Early Childhood Center	515 Rittenhouse Street	at Nordling Road
513	0327	0327	H	0327	Wesley Elementary School	800 Dillard Street	at DePriest Street
514	0328	0328	H	0328	To Be Determined		
515	0329	0329	H	0329	W I Stevenson Middle School	9595 Winkler Drive	at Old Galveston
516	0330	0330	H	0330	To Be Determined		
517	0331	0331	H	0331	To Be Determined		
518	0919	0331	V	0331	To Be Determined		
519	0332	0332	H	0332	To Be Determined		
520	0333	0333	H	0333	Seabrook Intermediate School	2401 East Meyer Road	
521	0334	0334	H	0334	Ramada Inn	6115 Will Clayton Parkway	at Kenswick Drive
522	0035	0334	V	0334	Ramada Inn	6115 Will Clayton Parkway	at Kenswick Drive
523	0457	0334	V	0334	Ramada Inn	6115 Will Clayton Parkway	at Kenswick Drive
524	0336	0336	H	0336	South Early College High School	1930 Airport Boulevard	near South Freeway
525	0337	0337	H	0337	Fondren Elementary School	12405 Carlsbad Street	at West Orem Drive
526	0338	0338	H	0338	Alexander Elementary School	8500 Brookwulf Drive	at Beechnut Street
527	0339	0339	H	0339	Looscan Elementary School	3800 Robertson Street	at Shelby Street

	A	B	C	D	I	J	K
528	0953	0339	V	0339	Looscan Elementary School	3800 Robertson Street	at Shelby Street
529	0340	0340	H	0340	Good Shepherd Episcopal Church	2929 Woodland Hills Drive	at Lake Hills Drive
530	0341	0341	H	0341	Burbank Middle School	315 Berry Road	at Bauman Road
531	0342	0342	H	0342	To Be Determined		
532	0343	0343	H	0343	Houston Federation of Teachers	2704 Sutherland Street	near Carrollton Street
533	0203	0343	V	0343	Houston Federation of Teachers	2704 Sutherland Street	near Carrollton Street
534	0871	0343	V	0343	Houston Federation of Teachers	2704 Sutherland Street	near Carrollton Street
535	0345	0345	H	0345	Sylvan Rodriguez Jr Elementary School	5858 Chimney Rock Road	Enter on Glenmo
536	0347	0347	H	0347	To Be Determined		
537	0348	0348	H	0348	To Be Determined		
538	0350	0350	H	0350	The Rice School	7550 Seuss Drive	at North Braeswood
539	0351	0351	H	0351	To Be Determined		
540	0352	0352	H	0352	San Jacinto College Central Campus Library	8060 Spencer Highway	at Cunningham Street
541	0353	0353	H	0353	To Be Determined		
542	0354	0354	H	0354	To Be Determined		
543	0355	0355	H	0355	James H Law Elementary School	12401 South Coast Drive	at Orem Drive
544	0356	0356	H	0356	Walnut Bend Elementary School	10620 Briar Forest Drive	at Citywest Boulevard
545	0357	0357	H	0357	To Be Determined		
546	0358	0358	H	0358	To Be Determined		
547	0359	0359	H	0359	Betty Roberts Best Elementary School	10000 Centre Parkway	at Sugar Branch Road
548	0360	0360	H	0360	To Be Determined		
549	0362	0362	H	0362	Westland Baptist Church	1407 West Grand Parkway South	near Taswell Street
550	0363	0363	H	0363	To Be Determined		
551	0365	0365	H	0365	Saint Pius the Tenth High School	811 West Donovan Street	at North Shepherds
552	0366	0366	H	0366	To Be Determined		
553	0367	0367	H	0367	B T Washington High School	119 East 39th Street	at Yale Street
554	0192	0367	V	0367	B T Washington High School	119 East 39th Street	at Yale Street
555	0368	0368	H	0368	To Be Determined		
556	0741	0368	V	0368	To Be Determined		
557	0370	0370	H	0370	Goodson Middle School	17333 Huffmeister Road	at Cypress Fields
558	0372	0372	H	0372	Southmeadow Property Owners Clubhouse	12002 Fairmeadow Drive	at Southmeadow

	A	B	C	D	I	J	K
559	0374	0374	H	0374	Knights of Columbus Hall Council 5077	5309 Oates Road	at Oak Brook Drive
560	0797	0374	V	0374	Knights of Columbus Hall Council 5077	5309 Oates Road	at Oak Brook Drive
561	0816	0374	V	0374	Knights of Columbus Hall Council 5077	5309 Oates Road	at Oak Brook Drive
562	0818	0374	V	0374	Knights of Columbus Hall Council 5077	5309 Oates Road	at Oak Brook Drive
563	0375	0375	H	0375	Felix L Baldree Building	13828 Corpus Christi Street	at Freeport Street
564	0827	0375	V	0375	Felix L Baldree Building	13828 Corpus Christi Street	at Freeport Street
565	0831	0375	V	0375	Felix L Baldree Building	13828 Corpus Christi Street	at Freeport Street
566	0954	0375	V	0375	Felix L Baldree Building	13828 Corpus Christi Street	at Freeport Street
567	0376	0376	H	0376	To Be Determined		
568	0377	0377	H	0377	Bayshore Elementary School	800 McCabe Road	at Highway 146
569	0088	0377	V	0377	Bayshore Elementary School	800 McCabe Road	at Highway 146
570	0378	0378	H	0378	Forest Bend Civic Building	4300 Laura Leigh Lane	at Townes Road
571	0379	0379	H	0379	Bellfort Church of Christ	6606 Bellfort Street	at Northdale Street
572	0380	0380	H	0380	To Be Determined		
573	0381	0381	H	0381	Alice Johnson Junior High School	15500 Proctor Street	at Ashland Boulevard
574	0872	0381	V	0381	Alice Johnson Junior High School	15500 Proctor Street	at Ashland Boulevard
575	0383	0383	H	0383	Carverdale Park Community Center	9920 Porto Rico Road	at Sweetbay Lane
576	0971	0383	V	0383	Carverdale Park Community Center	9920 Porto Rico Road	at Sweetbay Lane
577	0384	0384	H	0384	Riceville Mount Olive Baptist Church	11539 South Gessner Road	near McGee Lane
578	0385	0385	H	0385	To Be Determined		
579	0386	0386	H	0386	To Be Determined		
580	0387	0387	H	0387	To Be Determined		
581	0388	0388	H	0388	To Be Determined		
582	0967	0388	V	0388	To Be Determined		
583	0391	0391	H	0391	To Be Determined		
584	0746	0391	V	0391	To Be Determined		
585	0392	0392	H	0392	To Be Determined		
586	0393	0393	H	0393	Clear Lake Church of the Nazarene	14310 Galveston Road	Near Clear Lake
587	0395	0395	H	0395	Ashford Elementary School	1815 Shannon Valley Drive	at Whittington Drive
588	0396	0396	H	0396	Scenic Woods Regional Library	10677 Homestead Road	at Little York Road
589	0398	0398	H	0398	To Be Determined		

	A	B	C	D	I	J	K
590	0399	0399	H	0399	Calvary Hills Funeral Home	21723 Aldine Westfield Road	near Bluebird Pa
591	0400	0400	H	0400	To Be Determined		
592	0401	0401	H	0401	Lakewood Park Community Center	8811 Feland Street	at East Houston S
593	0115	0401	V	0401	Lakewood Park Community Center	8811 Feland Street	at East Houston S
594	0402	0402	H	0402	Robert L Frost Elementary School	5002 Almeda Genoa Road	at Hendrickson S
595	1010	0402	V	0402	Robert L Frost Elementary School	5002 Almeda Genoa Road	at Hendrickson S
596	0403	0403	H	0403	Westbury Baptist Church	10425 Hillcroft Street	at Willowbend B
597	0404	0404	H	0404	To Be Determined		
598	0405	0405	H	0405	Salyards Middle School	21757 Fairfield Place Drive	at Medley Green
599	0408	0408	H	0408	Little York Volunteer Fire Station 81	10410 Airline Drive	at Holtman Stree
600	0780	0408	V	0408	Little York Volunteer Fire Station 81	10410 Airline Drive	at Holtman Stree
601	0409	0409	H	0409	To Be Determined		
602	0608	0409	V	0409	To Be Determined		
603	0411	0411	H	0411	To Be Determined		
604	0413	0413	H	0413	To Be Determined		
605	0414	0414	H	0414	To Be Determined		
606	0415	0415	H	0415	To Be Determined		
607	0416	0416	H	0416	Pipers Meadow Community Center	15920 Pipers View Drive	at El Toro Street
608	0417	0417	H	0417	To Be Determined		
609	0418	0418	H	0418	Beverly Hills Community Center	10201 Kingspoint Road	at Members Stre
610	0419	0419	H	0419	To Be Determined		
611	0420	0420	H	0420	To Be Determined		
612	0421	0421	H	0421	To Be Determined		
613	0968	0421	V	0421	To Be Determined		
614	0422	0422	H	0422	Crestmont Park Community Center	5200 Selinsky Road	at Glenhollow Dr
615	0243	0422	V	0422	Crestmont Park Community Center	5200 Selinsky Road	at Glenhollow Dr
616	0969	0422	V	0422	Crestmont Park Community Center	5200 Selinsky Road	at Glenhollow Dr
617	0423	0423	H	0423	To Be Determined		
618	0970	0423	V	0423	To Be Determined		
619	0424	0424	H	0424	To Be Determined		
620	0426	0426	H	0426	Sharpstown International School	8330 Triola Lane	at Mary Bates Bo



	A	B	C	D	I	J	K
621	0427	0427	H	0427	To Be Determined		
622	0428	0428	H	0428	Houston Community College Alief Center	13803 Bissonnet Street	at Keegans Wood
623	0429	0429	H	0429	Mildred Rickard Landis Elementary School	10255 Spice Lane	at Course Drive
624	0943	0429	V	0429	Mildred Rickard Landis Elementary School	10255 Spice Lane	at Course Drive
625	1000	0429	V	0429	Mildred Rickard Landis Elementary School	10255 Spice Lane	at Course Drive
626	0430	0430	H	0430	Jane Long Academy Middle School	6501 Bellaire Boulevard	at Rookin Street
627	0335	0430	V	0430	Jane Long Academy Middle School	6501 Bellaire Boulevard	at Rookin Street
628	0431	0431	H	0431	Burnett Bayland Community Center	6000 Chimney Rock Drive	at Gulfton Street
629	0432	0432	H	0432	Pilgrim Academy	6302 Skyline Drive	at West Greenridge
630	0433	0433	H	0433	Piney Point Elementary School	8921 Pagewood Lane	at Fondren Road
631	0839	0433	V	0433	Piney Point Elementary School	8921 Pagewood Lane	at Fondren Road
632	0944	0433	V	0433	Piney Point Elementary School	8921 Pagewood Lane	at Fondren Road
633	0435	0435	H	0435	To Be Determined		
634	0436	0436	H	0436	Tanglewood Middle School	5215 San Felipe Street	at Sage Road
635	0437	0437	H	0437	To Be Determined		
636	0438	0438	H	0438	To Be Determined		
637	0439	0439	H	0439	To Be Determined		
638	0440	0440	H	0440	To Be Determined		
639	0441	0441	H	0441	To Be Determined		
640	0442	0442	H	0442	Saint Marys Episcopal Church	15415 North Eldridge Parkway	at Louetta Road
641	0444	0444	H	0444	To Be Determined		
642	0445	0445	H	0445	To Be Determined		
643	0447	0447	H	0447	To Be Determined		
644	0448	0448	H	0448	Black Middle School	1575 Chantilly Lane	at West 43rd Street
645	0450	0450	H	0450	To Be Determined		
646	0975	0450	V	0450	To Be Determined		
647	0451	0451	H	0451	To Be Determined		
648	0452	0452	H	0452	Zwink Elementary School	22200 Frassati Way Drive	at Spring Stuebner
649	0735	0452	V	0452	To Be Determined		
650	0453	0453	H	0453	Westbury Senior High School	11911 Chimney Rock Road	near Dryad Drive
651	0454	0454	H	0454	To Be Determined		

Exhibit 10

	A	B	C	D	I	J	K
652	0455	0455	H	0455	To Be Determined		
653	0562	0455	V	0455	To Be Determined		
654	0456	0456	H	0456	To Be Determined		
655	0461	0461	H	0461	To Be Determined		
656	0462	0462	H	0462	Kate Bell Elementary School	12323 Shaftsbury Drive	at Ravensworth S
657	0463	0463	H	0463	To Be Determined		
658	0464	0464	H	0464	Cypressdale Clubhouse	4815 Elmbrook Drive	at Kuykendahl Ro
659	0465	0465	H	0465	Ponderosa Elementary School	17202 Butte Creek Road	at FM 1960 Road
660	0466	0466	H	0466	Church of Christ on Bammel Road	2700 Cypress Creek Parkway	at Fritz Oaks Plac
661	0467	0467	H	0467	First New Hope Bible Church	5400 West Mount Houston Road	at Moon Light Fo
662	0961	0467	V	0467	First New Hope Bible Church	5400 West Mount Houston Road	at Moon Light Fo
663	0468	0468	H	0468	Northcliffe Manor Community Center	12026 West Marsham Circle	at Wirksworth D
664	0469	0469	H	0469	To Be Determined		
665	0470	0470	H	0470	Bonnette Junior High	5010 West Pasadena Boulevard	at Georgia Aven
666	0471	0471	H	0471	Lomax Junior High School	9801 North Avenue L	at Meadow Lark
667	0472	0472	H	0472	Residence Garage	2347 Underwood Street	at Kelving Street
668	0473	0473	H	0473	To Be Determined		
669	0474	0474	H	0474	Clear Brook High School	4607 FM 2351	at Hopevillage St
670	0475	0475	H	0475	To Be Determined		
671	0476	0476	H	0476	To Be Determined		
672	0477	0477	H	0477	To Be Determined		
673	0478	0478	H	0478	To Be Determined		
674	0479	0479	H	0479	Lakewood Residents Club	15006 Lakewood Forest Drive	at Lakeview Driv
675	0480	0480	H	0480	Barwood Home Owners Clubhouse	13003 Aste Lane	at Chuckson Driv
676	0481	0481	H	0481	Millsap Elementary School	12424 Huffmeister Road	at Shaft Street
677	0482	0482	H	0482	Roth Elementary School	21623 Castlemon Lane	at Bridgmont La
678	0484	0484	H	0484	To Be Determined		
679	0485	0485	H	0485	To Be Determined		
680	0926	0485	V	0485	To Be Determined		
681	0486	0486	H	0486	Lakewood United Methodist Church	11330 Louetta Road	at Jones Road
682	0983	0486	V	0486	Lakewood United Methodist Church	11330 Louetta Road	at Jones Road

Exhibit 10

	A	B	C	D	I	J	K
683	0487	0487	H	0487	Alief Middle School	4415 Cook Road	at Dashwood Str
684	0489	0489	H	0489	India House	8888 West Bellfort Street	at Westbrae Park
685	0490	0490	H	0490	To Be Determined		
686	0829	0490	V	0490	To Be Determined		
687	0869	0490	V	0490	To Be Determined		
688	0985	0490	V	0490	To Be Determined		
689	0986	0490	V	0490	To Be Determined		
690	0491	0491	H	0491	Mandarin Immersion Magnet School	5445 West Alabama Street	at Yorktown Stre
691	0492	0492	H	0492	Paul Revere Middle School	10502 Briar Forest Drive	at West Sam Hou
692	0493	0493	H	0493	Klenk Elementary School	6111 Bourgeois Road	at W Richey Road
693	0873	0493	V	0493	Klenk Elementary School	6111 Bourgeois Road	at W Richey Road
694	0494	0494	H	0494	To Be Determined		
695	0495	0495	H	0495	Ramona Bang Elementary School	8900 Rio Grande Drive	at Copperdale La
696	0496	0496	H	0496	Frazier Elementary School CFISD	8300 Little River Road	at West Road
697	0497	0497	H	0497	To Be Determined		
698	0733	0497	V	0497	To Be Determined		
699	0743	0497	V	0497	To Be Determined		
700	0498	0498	H	0498	Northwest Church of Christ	6720 West Tidwell Road	Near Bingle Road
701	0322	0498	V	0498	Northwest Church of Christ	6720 West Tidwell Road	Near Bingle Road
702	0499	0499	H	0499	Grace Presbyterian Church	10221 Ella Lee Lane	at West Sam Hou
703	0500	0500	H	0500	Lemm Elementary School	19034 Joan Leigh Drive	at Chisos Trail
704	0501	0501	H	0501	Mount Sinai Baptist Church Family Life Center	902 West 8th Street	at Herkimer Stre
705	0502	0502	H	0502	Old Crosby ISD Administration Building	706 Runneburg Road	at Pecan Street
706	0988	0502	V	0502	Old Crosby ISD Administration Building	706 Runneburg Road	at Pecan Street
707	0503	0503	H	0503	French Elementary School	5802 West Rayford Road	at Gosling Road
708	0504	0504	H	0504	Country Village Clubhouse	12042 Riverview Drive	at Cedar Pass Dri
709	0505	0505	H	0505	Wainwright Elementary School	5330 Milwee Street	at Costa Rica Roa
710	1004	0505	V	0505	Wainwright Elementary School	5330 Milwee Street	at Costa Rica Roa
711	0506	0506	H	0506	Fondren Park Community Building	11802 Mcclain Boulevard	at Gregory Boule
712	0893	0506	V	0506	Fondren Park Community Building	11802 Mcclain Boulevard	at Gregory Boule
713	0507	0507	H	0507	Margaret Collins Elementary School	9829 Town Park Drive	at Ranchester Str

	A	B	C	D	I	J	K
714	0508	0508	H	0508	Chancellor Elementary School	4350 Boone Road	at High Star Drive
715	0509	0509	H	0509	To Be Determined		
716	0510	0510	H	0510	To Be Determined		
717	0511	0511	H	0511	Woodard Elementary School	17501 Cypress North Houston	at Barker Cypress
718	0512	0512	H	0512	To Be Determined		
719	0991	0512	V	0512	To Be Determined		
720	0513	0513	H	0513	Huntwick Forest Clubhouse Recreational Facility	5300 Coral Gables Drive	at Glen Erica Drive
721	0514	0514	H	0514	Strack Intermediate School	18027 South Kuykendahl Road	at Elmbrook Drive
722	0515	0515	H	0515	Brill Elementary School	9102 Herts Road	at Champion Drive
723	0516	0516	H	0516	Glorious Way Church	11611 Champion Forest Drive	at West Richey Road
724	0517	0517	H	0517	Lieder Elementary School	17003 Kieth Harrow Boulevard	at Cairnvillage Street
725	0518	0518	H	0518	Emmott Elementary School	11750 Steepleway Boulevard	at Jones Road
726	0519	0519	H	0519	HCPL Northwest Library	11355 Regency Green Drive	at Jones Road
727	0520	0520	H	0520	Eickenroht Elementary School	15252 Grand Point Road	at Ella Boulevard
728	0521	0521	H	0521	To Be Determined		
729	0992	0521	V	0521	To Be Determined		
730	0522	0522	H	0522	Saint Peters United Methodist Church	20775 Kingsland Boulevard	at Shillington Drive
731	0523	0523	H	0523	To Be Determined		
732	0771	0523	V	0523	To Be Determined		
733	0524	0524	H	0524	Petrosky Elementary School	6703 Winkleman Road	at La Paloma Street
734	0525	0525	H	0525	Milne Elementary School	7800 Portal Drive	at Kittybrook Drive
735	0526	0526	H	0526	Raul Yzaguirre School for Success Tejano Center Building	2950 Broadway Boulevard	at Kimble Street
736	0023	0526	V	0526	Raul Yzaguirre School for Success Tejano Center Building	2950 Broadway Boulevard	at Kimble Street
737	0529	0529	H	0529	First Baptist Church of Tomball	401 Oxford Street	at Pine Street
738	0530	0530	H	0530	To Be Determined		
739	0531	0531	H	0531	To Be Determined		
740	0532	0532	H	0532	To Be Determined		
741	0533	0532	V	0532	To Be Determined		
742	0534	0534	H	0534	Parkgate Community Church	3715 Preston Avenue	at Sao Paulo Street
743	0536	0536	H	0536	To Be Determined		
744	0537	0537	H	0537	To Be Determined		

Exhibit 10

	A	B	C	D	I	J	K
745	0539	0539	H	0539	To Be Determined		
746	0540	0540	H	0540	Judson Robinson Junior Community Center	2020 Hermann Drive	at Alameda Street
747	0632	0540	V	0540	Judson Robinson Junior Community Center	2020 Hermann Drive	at Alameda Street
748	0830	0540	V	0540	Judson Robinson Junior Community Center	2020 Hermann Drive	at Alameda Street
749	0837	0540	V	0540	Judson Robinson Junior Community Center	2020 Hermann Drive	at Alameda Street
750	0542	0542	H	0542	To Be Determined		
751	0995	0542	V	0542	To Be Determined		
752	0543	0543	H	0543	Herrera Elementary School	525 Bennington Street	at Helmers Stree
753	0778	0543	V	0543	Herrera Elementary School	525 Bennington Street	at Helmers Stree
754	0544	0544	H	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
755	0167	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
756	0196	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
757	0833	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
758	0846	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
759	0852	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
760	0917	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
761	0928	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
762	0978	0544	V	0544	Ross Elementary School	2819 Bay Street	at Eastex Freewa
763	0546	0546	H	0546	To Be Determined		
764	0547	0547	H	0547	World Theater	1012 S Mason Road	
765	0548	0548	H	0548	Francone Elementary School	11250 Perry Road	at Windfern Roa
766	0549	0549	H	0549	Link Elementary School	2815 Ridge Hollow Drive	at Walters Road
767	0957	0549	V	0549	Link Elementary School	2815 Ridge Hollow Drive	at Walters Road
768	0550	0550	H	0550	The Abiding Word Lutheran Church and School	17123 Red Oak Drive	near FM 1960
769	0551	0551	H	0551	Hassler Elementary School	9325 Lochlea Ridge Drive	at Gleannloch La
770	0552	0552	H	0552	To Be Determined		
771	0553	0553	H	0553	Julia W Kahla Middle School	16212 West Little York Road	east of Queensto
772	0554	0554	H	0554	To Be Determined		
773	0693	0554	V	0554	To Be Determined		
774	0555	0555	H	0555	To Be Determined		
775	0556	0556	H	0556	Cummings Elementary School	10455 South Kirkwood Road	at Grove Glen Dr

	A	B	C	D	I	J	K
776	0557	0557	H	0557	Martin Elementary School	11718 Hendon Lane	at Belle Park
777	0558	0558	H	0558	Saint Justin Martyr Catholic Community	13350 Ashford Point Drive	at Eldridge Park
778	0560	0560	H	0560	Scroggins Elementary School	400 Boyles Street	at Laredo Street
779	0811	0560	V	0560	Scroggins Elementary School	400 Boyles Street	at Laredo Street
780	0812	0560	V	0560	Scroggins Elementary School	400 Boyles Street	at Laredo Street
781	0561	0561	H	0561	City of La Porte City Hall	604 West Fairmont Parkway	at 6th Street
782	0563	0563	H	0563	HC Public Library Kingwood Branch	4400 Bens View Lane	at Bens Branch D
783	0564	0564	H	0564	South Union Church of Christ	7427 Ardmore Street	at Holly Hall Stre
784	0565	0565	H	0565	To Be Determined		
785	0566	0566	H	0566	Sneed Elementary School	9855 Pagewood Lane	at Wood Chase D
786	0567	0567	H	0567	Vietnamese Community Center	7100 Clarewood Drive	at Southwest Fre
787	0568	0568	H	0568	J F Ward Elementary School	1440 Bouldercrest Drive	at Pennhills Stre
788	0569	0569	H	0569	Saint George Place Elementary School	5430 Hidalgo Street	at McCulloch Dri
789	0570	0570	H	0570	Pin Oak Middle School	4601 Glenmont Drive	at W Loop S
790	0571	0571	H	0571	To Be Determined		
791	0573	0573	H	0573	Greater New Testament Church	7409 Calhoun Road	at Van Fleet Stre
792	0858	0573	V	0573	Greater New Testament Church	7409 Calhoun Road	at Van Fleet Stre
793	0576	0576	H	0576	To Be Determined		
794	0577	0577	H	0577	To Be Determined		
795	1003	0577	V	0577	To Be Determined		
796	0578	0578	H	0578	Candlelight Park Community Center	1520 Candlelight Lane	at Happy Hollow
797	0579	0579	H	0579	To Be Determined		
798	0581	0581	H	0581	To Be Determined		
799	0582	0582	H	0582	Hobart Taylor Park Community Center	8100 Kenton Street	at Bacher Street
800	0585	0585	H	0585	North Forest High School	10726 Mesa Drive	at Little York Roa
801	0586	0586	H	0586	Anderson Elementary School	6218 Lynnngate Drive	at Cypresswood
802	0587	0587	H	0587	To Be Determined		
803	0588	0588	H	0588	Winship Elementary School	2175 Spring Creek Drive	at Aldine Westfie
804	0589	0589	H	0589	To Be Determined		
805	0590	0590	H	0590	To Be Determined		
806	0591	0591	H	0591	Westfield Volunteer Fire Station 2	11255 Bentley Street	at Wardmont Str

	A	B	C	D	I	J	K
807	0592	0592	H	0592	Kaiser Elementary School	13430 Bammel North Houston Road	at South Trace D
808	0593	0593	H	0593	Saint Matthews Catholic Church	9915 Hollister Drive	at West Gulf Ban
809	0594	0594	H	0594	To Be Determined		
810	0595	0595	H	0595	To Be Determined		
811	0596	0596	H	0596	Mildred Jenkins Elementary School	4615 Reynaldo Drive	at Banquo Drive
812	0597	0597	H	0597	To Be Determined		
813	0598	0598	H	0598	Hopper Middle School	7811 Fry Road	at Saint Michaels
814	0599	0599	H	0599	To Be Determined		
815	0600	0600	H	0600	Rees Elementary School	16305 Kensley Drive	at Westheimer P
816	0601	0601	H	0601	Doerre Intermediate School	18218 Theiss Mail Route Road	at Champion For
817	0603	0603	H	0603	First Christian Church	22101 Morton Ranch Road	near North Masc
818	0604	0604	H	0604	To Be Determined		
819	0605	0605	H	0605	B H Hamblen Elementary School	1019 Dell Dale Street	at Ferness Lane
820	0606	0606	H	0606	Key Middle School	4000 Kelley Street	at Hirsch Road
821	0580	0606	V	0606	Key Middle School	4000 Kelley Street	at Hirsch Road
822	0609	0609	H	0609	Rolling Fork Club	9110 Rodney Ray Boulevard	at Waynemer W
823	0610	0610	H	0610	To Be Determined		
824	1011	0610	V	0610	To Be Determined		
825	0611	0611	H	0611	Shadydale Elementary School	5905 Tidwell Road	at Allwood Stree
826	0151	0611	V	0611	To Be Determined		
827	0612	0612	H	0612	To Be Determined		
828	0613	0613	H	0613	To Be Determined		
829	0614	0614	H	0614	Beneke Elementary School	3840 Briarchase Drive	at Manor Street
830	0825	0614	V	0614	Beneke Elementary School	3840 Briarchase Drive	at Manor Street
831	0981	0614	V	0614	Beneke Elementary School	3840 Briarchase Drive	at Manor Street
832	0615	0615	H	0615	Wells Middle School Auxiliary Gym	4033 Gladeridge Drive	at Gladebrook St
833	0616	0616	H	0616	Christ Covenant Church	17000 Longenbaugh Drive	at Queenston Bo
834	0617	0617	H	0617	Jowell Elementary School	6355 Greenhouse Road	at Rebel Yell Driv
835	0618	0618	H	0618	Morton Ranch High School	21000 Franz Road	at North Westgre
836	0619	0619	H	0619	HCPL Maud Smith Marks Branch Library	1815 Westgreen Boulevard	at Highland Knol
837	0620	0620	H	0620	Hastings Senior High School	4410 Cook Road	enter on High Sta

Exhibit 10

	A	B	C	D	I	J	K
838	0622	0622	H	0622	Ronnie Truitt Middle School	6600 Addicks Satsuma Road	at Hamstead Par
839	0623	0623	H	0623	To Be Determined		
840	0625	0625	H	0625	Ashford United Methodist Church	2201 South Dairy Ashford Road	at Piping Rock Dr
841	0627	0627	H	0627	Douglas Smith Elementary School	11300 Stancilff Road	at Leawood Blvd
842	0628	0628	H	0628	To Be Determined		
843	0364	0628	V	0628	To Be Determined		
844	0870	0628	V	0628	To Be Determined		
845	0629	0629	H	0629	New Light Christian Center	1535 Greensmark Drive	
846	0630	0630	H	0630	To Be Determined		
847	0633	0633	H	0633	Haude Elementary School	3111 Louetta Road	at Haude Road
848	0634	0634	H	0634	Twin Creeks Middle School	27100 Cypresswood Drive	at Bradbury Fore
849	0753	0634	V	0634	Twin Creeks Middle School	27100 Cypresswood Drive	at Bradbury Fore
850	0635	0635	H	0635	To Be Determined		
851	0636	0636	H	0636	To Be Determined		
852	0637	0637	H	0637	William Booth Garden Apartments	808 Frawley Street	at Irvington Street
853	0639	0639	H	0639	To Be Determined		
854	0640	0640	H	0640	Cypress Fairbanks Exhibit Center	11206 Telge Road	at Arnold Junior
855	0641	0641	H	0641	Thomas M Danish Elementary School	11850 Fallbrook Drive	at Village Trail Dr
856	0642	0642	H	0642	Owens Elementary School	7939 Jackrabbit Road	at Owens Street
857	0643	0643	H	0643	Tipps Elementary School	5611 Queenston Boulevard	at Brookhollow C
858	0913	0643	V	0643	Tipps Elementary School	5611 Queenston Boulevard	at Brookhollow C
859	0644	0644	H	0644	To Be Determined		
860	0645	0645	H	0645	To Be Determined		
861	0646	0646	H	0646	Southeast Community Christian Center	14880 Bellaire Boulevard	
862	0647	0647	H	0647	Mahanay Elementary School	13215 High Star Drive	at Synott Street
863	0648	0648	H	0648	Theiss Elementary School	17510 Theiss Mail Route Road	at Hidden Trail
864	0650	0650	H	0650	Deerfield Village Recreation Center	4045 Deerfield Village Drive	at Heathersage D
865	0651	0651	H	0651	Holmsley Elementary School	7315 Hudson Oaks Drive	at Silver Sky
866	0652	0652	H	0652	To Be Determined		
867	0656	0656	H	0656	To Be Determined		
868	0584	0656	V	0656	To Be Determined		



	A	B	C	D	I	J	K
869	0657	0657	H	0657	To Be Determined		
870	0449	0657	V	0657	To Be Determined		
871	0729	0657	V	0657	To Be Determined		
872	0783	0657	V	0657	To Be Determined		
873	0658	0658	H	0658	To Be Determined		
874	0660	0660	H	0660	To Be Determined		
875	0661	0661	H	0661	To Be Determined		
876	0662	0662	H	0662	Fairmont Elementary School	4315 Heathfield Drive	at Coldstream St
877	0663	0663	H	0663	Waltrip High School	1900 West 34th Street	at Ella Boulevard
878	0927	0663	V	0663	Waltrip High School	1900 West 34th Street	at Ella Boulevard
879	0664	0664	H	0664	To Be Determined		
880	0665	0665	H	0665	Heritage Elementary School	4301 East Boulevard	at Aaron Street
881	0667	0667	H	0667	Lowery Elementary School	15950 Ridge Park Drive	at Club Lake Stre
882	0668	0668	H	0668	Charterwood MUD Administration Activity Building	16444 Cutten Road	at Magnolia Ridg
883	0788	0668	V	0668	Charterwood MUD Administration Activity Building	16444 Cutten Road	at Magnolia Ridg
884	0669	0669	H	0669	Church of Christ in Champions	13902 Cutten Road	at Champions Ce
885	0670	0670	H	0670	To Be Determined		
886	0671	0671	H	0671	To Be Determined		
887	0672	0672	H	0672	Klein Oak High School	22603 Northcrest Drive	at Klein Oak Lane
888	0673	0673	H	0673	To Be Determined		
889	0674	0674	H	0674	To Be Determined		
890	0676	0676	H	0676	To Be Determined		
891	0677	0677	H	0677	To Be Determined		
892	0678	0678	H	0678	Clark Primary School	12625 River Laurel Drive	at Rushworth Dr
893	0679	0679	H	0679	To Be Determined		
894	0682	0682	H	0682	Rizzuto Elementary School	3201 Farrington Street	at Catlett Street
895	0684	0684	H	0684	Ulrich Intermediate School	10103 Spring Cypress Road	at Cutten Road
896	0998	0684	V	0684	Ulrich Intermediate School	10103 Spring Cypress Road	at Cutten Road
897	0687	0687	H	0687	Charles B Cook Middle School	9111 Wheatland Drive	at West Road
898	0688	0688	H	0688	Saint John Lutheran Church Gym	15235 Spring Cypress Road	at Huffmeister R
899	0689	0689	H	0689	To Be Determined		

	A	B	C	D	I	J	K
900	0701	0689	V	0689	To Be Determined		
901	0690	0690	H	0690	To Be Determined		
902	0878	0690	V	0690	To Be Determined		
903	0691	0691	H	0691	Royce Black Elementary School	14155 Grant Road	at Pawnee Bend
904	0692	0692	H	0692	To Be Determined		
905	0694	0694	H	0694	Aerodrome	8220 Willow Place Drive North	at SH 249
906	0695	0695	H	0695	To Be Determined		
907	0696	0696	H	0696	To Be Determined		
908	0697	0697	H	0697	To Be Determined		
909	0990	0697	V	0697	To Be Determined		
910	0698	0698	H	0698	To Be Determined		
911	0699	0699	H	0699	Hope Christian Reformed Church	770 Pineloch Drive	at Village Evergre
912	0700	0700	H	0700	First Baptist Church Huffman Youth Center	25259 F M 2100 Road	at Huffman Eastg
913	0703	0703	H	0703	Taylor Lake Village Municipal Facility	500 Kirby Boulevard	at Shady Springs
914	0704	0704	H	0704	To Be Determined		
915	0705	0705	H	0705	To Be Determined		
916	0767	0705	V	0705	To Be Determined		
917	0834	0705	V	0705	To Be Determined		
918	0706	0706	H	0706	Budewig Intermediate School	12570 Richmond Avenue	at Oxford Place D
919	0709	0709	H	0709	West Houston Church of Christ	17100 West Road	at Queenston Bo
920	0710	0710	H	0710	Saint Lukes Missionary Baptist Church	714 Detering Street	at Rose Street
921	0711	0711	H	0711	Westside High School	14201 Briar Forest Drive	at Highway 6
922	0712	0712	H	0712	Sandra Bales Walker Elementary School	6424 Settlers Village Drive	at Liberty Valley
923	0713	0713	H	0713	Homewood Suites by Hilton CyFair	13110 Wortham Center Drive	at US 290
924	0715	0715	H	0715	To Be Determined		
925	0716	0716	H	0716	Jennie Reid Elementary School	10001 West Fairmont Parkway	at Underwood St
926	0717	0717	H	0717	Lewis Elementary School	3230 Spears Road	at Veterans Men
927	0718	0718	H	0718	North Pointe Elementary School	3200 Almond Creek Drive	at Scenic Glade D
928	0719	0719	H	0719	Schochler Elementary School	910 Deerpass Drive	near Cobb Street
929	0720	0720	H	0720	Williamsburg Settlement Clubhouse	1602 Hoyt Lane	at Prince George
930	0721	0721	H	0721	Brookwood Elementary School	16850 Middlebrook Drive	at Walnut Pond

	A	B	C	D	I	J	K
931	0724	0721	V	0721	Brookwood Elementary School	16850 Middlebrook Drive	at Walnut Pond
932	0722	0722	H	0722	To Be Determined		
933	0723	0723	H	0723	Eiland Elementary School	6700 North Klein Circle Drive	at Houston Ross
934	0859	0723	V	0723	Eiland Elementary School	6700 North Klein Circle Drive	at Houston Ross
935	0725	0725	H	0725	To Be Determined		
936	0726	0726	H	0726	Salem Lutheran Church Fellowship Hall	22601 Lutheran Church Road	Salem Luth
937	0727	0727	H	0727	Shadowbriar Elementary School	2650 Shadowbriar Drive	at Westheimer R
938	0730	0730	H	0730	To Be Determined		
939	0942	0730	V	0730	To Be Determined		
940	0731	0731	H	0731	Harris County Annex 57	19818 Franz Road Enter East side of Blvd	at Old Fry Road
941	0732	0732	H	0732	To Be Determined		
942	0728	0732	V	0732	To Be Determined		
943	0738	0738	H	0738	Holiday Inn Houston Intercontinental	15222 John F Kennedy Boulevard	at North Sam Ho
944	0410	0738	V	0738	Holiday Inn Houston Intercontinental	15222 John F Kennedy Boulevard	at North Sam Ho
945	0739	0739	H	0739	Coady Baptist Church	5606 Wade Road	at Cedar Bayou L
946	0740	0740	H	0740	Church on the Rock	7123 Decker Drive	at Mable Street
947	0742	0742	H	0742	Heritage Park Baptist Church	2732 FM 528 Road	at Plymouth Col
948	0349	0742	V	0742	Heritage Park Baptist Church	2732 FM 528 Road	at Plymouth Col
949	0655	0742	V	0742	Heritage Park Baptist Church	2732 FM 528 Road	at Plymouth Col
950	0845	0742	V	0742	Heritage Park Baptist Church	2732 FM 528 Road	at Plymouth Col
951	0744	0744	H	0744	Clear Lake Intermediate School	15545 El Camino Real	at El Dorado Bou
952	0745	0745	H	0745	Clear Lake City Recreation Center Pavilion	16511 Diana Lane	at Ramada Drive
953	0747	0747	H	0747	Dueitt Middle School	1 Eagle Crossing	at Treaschwig R
954	0748	0748	H	0748	Space Center Intermediate School	17400 Saturn Lane	at Hercules Stree
955	0920	0748	V	0748	Space Center Intermediate School	17400 Saturn Lane	at Hercules Stree
956	0751	0751	H	0751	To Be Determined		
957	0752	0752	H	0752	To Be Determined		
958	0754	0754	H	0754	Bethels Place Community Empowerment Center	12660 Sandpiper Drive	at Fonmeadow S
959	0755	0755	H	0755	To Be Determined		
960	0972	0755	V	0755	To Be Determined		
961	0756	0756	H	0756	To Be Determined		

	A	B	C	D	I	J	K
962	1007	0756	V	0756	To Be Determined		
963	0757	0757	H	0757	Spring ISD Child Nutrition and Training Center	15330 Kuykendahl Road	near Cypress Lan
964	0758	0758	H	0758	To Be Determined		
965	0759	0759	H	0759	Gleason Elementary School	9203 Willowbridge Park Boulevard	at West Road
966	0760	0760	H	0760	To Be Determined		
967	0762	0762	H	0762	To Be Determined		
968	0763	0763	H	0763	To Be Determined		
969	0764	0764	H	0764	To Be Determined		
970	0765	0765	H	0765	Heflin Elementary School	3303 Synott Road	at Westpark Driv
971	0768	0768	H	0768	To Be Determined		
972	0773	0773	H	0773	Liestman Elementary School	7610 Synott Road	at Beechnut Stre
973	0776	0776	H	0776	Lake Houston Church of the Nazarene	5616 FM 1960 Road East	at Droitwich Driv
974	0781	0781	H	0781	Notre Dame Catholic Church Parish Hall	7720 Boone Road	at Corona Street
975	0782	0782	H	0782	Westbrook Intermediate School	302 West El Dorado Boulevard	at Glenwest Driv
976	0784	0784	H	0784	To Be Determined		
977	0007	0784	V	0784	To Be Determined		
978	0785	0785	H	0785	To Be Determined		
979	0786	0786	H	0786	To Be Determined		
980	0789	0789	H	0789	Copperfield Church	8350 Highway 6 North	at West Road
981	0792	0792	H	0792	1st Baptist Church North Houston	4422 Lauder Road	at John F Kenned
982	0397	0792	V	0792	1st Baptist Church North Houston	4422 Lauder Road	at John F Kenned
983	0793	0793	H	0793	Cleveland Ripley Neighborhood Center	720 Fairmont Parkway	
984	0794	0794	H	0794	Harvest Time Church Community Center	17770 Imperial Valley Drive	at Harvest Time
985	0101	0794	V	0794	Harvest Time Church Community Center	17770 Imperial Valley Drive	at Harvest Time
986	0796	0796	H	0796	To Be Determined		
987	0798	0798	H	0798	Garden Villa Park Community Center	6720 South Haywood Drive	at Ashburn Stree
988	0134	0798	V	0798	Garden Villa Park Community Center	6720 South Haywood Drive	at Ashburn Stree
989	0815	0798	V	0798	Garden Villa Park Community Center	6720 South Haywood Drive	at Ashburn Stree
990	0820	0798	V	0798	Garden Villa Park Community Center	6720 South Haywood Drive	at Ashburn Stree
991	0800	0800	H	0800	To Be Determined		
992	0803	0803	H	0803	Copeland Elementary School	18018 Forest Heights Drive	at Barker Cypres

Exhibit 10

	A	B	C	D	I	J	K
993	0804	0804	H	0804	To Be Determined		
994	0805	0805	H	0805	Hamilton Elementary School	12050 Old Kluge Road	at Grant Road
995	0602	0805	V	0805	Hamilton Elementary School	12050 Old Kluge Road	at Grant Road
996	0806	0806	H	0806	To Be Determined		
997	0807	0807	H	0807	Sunset Shadows Apartments Clubhouse	9850 Meadowglen Lane	near Briarpark D
998	0813	0813	H	0813	To Be Determined		
999	0814	0814	H	0814	Holmquist Elementary School	15040 Westpark Drive	at Addicks Clodir
1000	0817	0817	H	0817	Spillane Middle School	13403 Woods-Spillane Boulevard	at Spring Cypress
1001	0821	0821	H	0821	Northshore Friends Church	1013 Maxey Road	at East Freeway
1002	0823	0823	H	0823	Matzke Elementary School	10002 Mills Road	at Perry Road
1003	0824	0824	H	0824	To Be Determined		
1004	0828	0828	H	0828	Hamilton Middle School	12330 Kluge Road	at Grant Road
1005	0840	0840	H	0840	The Light of the World Christian Fellowship	16161 Old Humble Road	at Greens Road
1006	0083	0840	V	0840	The Light of the World Christian Fellowship	16161 Old Humble Road	at Greens Road
1007	0841	0841	H	0841	To Be Determined		
1008	0842	0842	H	0842	To Be Determined		
1009	0847	0847	H	0847	To Be Determined		
1010	0799	0847	V	0847	To Be Determined		
1011	0849	0849	H	0849	James DeAnda Elementary School	7980 Almeda Genoa Road	at Ballantine Stre
1012	0801	0849	V	0849	James DeAnda Elementary School	7980 Almeda Genoa Road	at Ballantine Stre
1013	0851	0851	H	0851	Dove Meadows HOA Clubhouse	3331 Vandyke Drive	near Meadow Hi
1014	0853	0853	H	0853	Kuehne Elementary School	5510 Winding Ridge Drive	at T C Jester Bou
1015	0854	0854	H	0854	Tuffly Park Recreation Center	3200 Russell Street	at Lucille Street
1016	0186	0854	V	0854	Tuffly Park Recreation Center	3200 Russell Street	at Lucille Street
1017	0855	0855	H	0855	Nitsch Elementary School	4702 West Mount Houston Road	near W Montgor
1018	0861	0855	V	0855	Nitsch Elementary School	4702 West Mount Houston Road	near W Montgor
1019	0862	0862	H	0862	Birkes Elementary School	8500 Queenston Boulevard	at West Road
1020	0864	0864	H	0864	To Be Determined		
1021	0959	0864	V	0864	To Be Determined		
1022	0868	0868	H	0868	McDougle Elementary School	10410 Kansack Lane	at Seton Lake Dri
1023	0884	0868	V	0868	McDougle Elementary School	10410 Kansack Lane	at Seton Lake Dri

	A	B	C	D	I	J	K
1024	0977	0868	V	0868	McDougle Elementary School	10410 Kansack Lane	at Seton Lake Drive
1025	0874	0874	H	0874	To Be Determined		
1026	0875	0875	H	0875	Postma Elementary School	18425 West Road	at Greenhouse Road
1027	0876	0876	H	0876	Benignus Elementary School	7225 Alvin A Klein Drive	at FM 2920 Road
1028	0877	0877	H	0877	M Robinson Elementary School	4321 Westfield Village Drive	at Clay Road
1029	0880	0880	H	0880	Frank Elementary School	9225 Crescent Clover Drive	at Champion Forest
1030	0881	0881	H	0881	McFee Elementary School	19315 Plantation Cove Lane	at Plantation Forest
1031	0882	0882	H	0882	To Be Determined		
1032	0883	0883	H	0883	Carolee Booker Elementary School	22352 Imperial Valley Drive	at Bammel Road
1033	0885	0885	H	0885	To Be Determined		
1034	0888	0888	H	0888	To Be Determined		
1035	0666	0888	V	0888	To Be Determined		
1036	0979	0888	V	0888	To Be Determined		
1037	0894	0894	H	0894	Helen Major Elementary School	16855 Sugar Pine Drive	at FM 1960 West
1038	0895	0895	H	0895	Poe Elementary School	5100 Hazard Street	at South Boulevard
1039	0040	0895	V	0895	Poe Elementary School	5100 Hazard Street	at South Boulevard
1040	0896	0895	V	0895	Poe Elementary School	5100 Hazard Street	at South Boulevard
1041	0897	0897	H	0897	Northgate Crossing Elementary School	23437 Northgate Crossing Boulevard	at Hardy Toll Road
1042	0898	0898	H	0898	To Be Determined		
1043	0899	0899	H	0899	Kingsland Baptist Church	20555 Kingsland Boulevard	at Dominion Drive
1044	0903	0903	H	0903	Canyon Pointe Elementary School	13002 Northpointe Boulevard	at Northpointe North
1045	0916	0916	H	0916	Bernshausen Elementary School	11116 Mahaffey Road	near Crestbrook
1046	0137	0916	V	0916	Bernshausen Elementary School	11116 Mahaffey Road	near Crestbrook
1047	0923	0923	H	0923	Pope Elementary School	19019 North Bridgeland Lake Parkway	at Bridge Cove Drive
1048	0936	0936	H	0936	To Be Determined		
1049	0106	0936	V	0936	To Be Determined		
1050	0241	0936	V	0936	To Be Determined		
1051	0737	0936	V	0936	To Be Determined		
1052	0934	0936	V	0936	To Be Determined		
1053	0955	0955	H	0955	Creekside Park Junior High School	8711 Creekside Green Drive	at Kuykendahl Road
1054	0958	0958	H	0958	Saint Paul A M E Church	1554 Gears Road	at Adel Road

	A	B	C	D	I	J	K
1055	0960	0960	H	0960	Sierra Meadows Apartments	9835 North Sam Houston Parkway East	near John Ralston
1056	0964	0964	H	0964	To Be Determined		
1057	0973	0973	H	0973	To Be Determined		
1058	0976	0976	H	0976	To Be Determined		
1059	0382	0976	V	0976	To Be Determined		
1060	0963	0976	V	0976	To Be Determined		
1061	0965	0976	V	0976	To Be Determined		
1062	0980	0980	H	0980	Wortham Village Clubhouse	10911 Wortham Boulevard	at Walnut Lake Road
1063	0982	0982	H	0982	Wildwood Elementary School	13802 Northpointe Boulevard	at Shaw Road
1064	0984	0984	H	0984	To Be Determined		
1065	0488	0984	V	0984	To Be Determined		
1066	0997	0997	H	0997	To Be Determined		
1067	1001	1001	H	1001	Youngblood Intermediate School	8410 Dairy View Lane	at Beechnut Street
1068	1002	1002	H	1002	Judy Bush Elementary School	9730 Stroud Drive	at Corporate Street
1069	0425	1002	V	1002	Judy Bush Elementary School	9730 Stroud Drive	at Corporate Street
1070	1006	1006	H	1006	To Be Determined		
1071	0879	1006	V	1006	To Be Determined		
1072	1009	1006	V	1006	To Be Determined		
1073	1012	1012	H	1012	To Be Determined		
1074	NewDTV	DTV131K	H	DTV131K	Kingdom Builders Center	6011 West Orem Drive	
1075	NewDTV	DTV134W	H	DTV134W	HCC West Loop South	5601 West Loop South	
1076	NewDTV	DTV139F	H	DTV139F	Fallbrook Church	12512 Walters Road	
1077	NewDTV	DTV141U	H	DTV141U	Humble Civic Center	8233 Will Clayton Pkwy	
1078	NewDTV	DTV142H	H	DTV142H	Houston Food Bank	535 Portwall St	
1079	NewDTV	DTV145C	H	DTV145C	HCC Southeast College Building C Parking Garage	6960 Rustic Street	at Garland Drive
1080	NewDTV	DTV146N	H	DTV146N	NRG Center	1 NRG Pkwy	
1081	NewDTV	DTV147C	H	DTV147C	Toyota Center	1510 Polk St	
1082	NewDTV	DTV148Z	H	DTV148Z	Resurrection Metropolitan Community Church	2025 West 11th Street	near T C Jester Blvd
1083	NewDTV	DTV149H	H	DTV149H	HCC Alief Center	13803 Bissonnet St	
1084	New ED	New ED	H	New ED	A Community of the Servant Savior Presbyterian Church	11303 Hughes Road	
1085	New ED	New ED	H	New ED	First Methodist Houston	1320 Main Street	

Exhibit 10

	A	B	C	D	I	J	K
1086	New ED	New ED	H	New ED	Greater Saint Matthew Church Southeast Campus	7701 Jutland	
1087	New ED	New ED	H	New ED	Greater Saint Matthew Church Southwest Campus	14919 South Main	
1088	New ED	New ED	H	New ED	Donald C Matter Municipal Building	1800 Space Park Drive, Ste 200	
1089	New ED	New ED	H	New ED	Faithbridge Church	18000 Stuebner Airline Drive	
1090	New ED	New ED	H	New ED	First United Methodist Church, Pasadena	1062 Fairmont Parkway	
1091	New ED	New ED	H	New ED	Guadalupe Columbus Club	5309 Oates Road	
1092	New ED	New ED	H	New ED	Lake Houston Untied Methodist Church	23606 FM 2100 Road	
1093	New ED	New ED	H	New ED	Loving Word Fellowship	170 Rittenhouse Street	
1094	New ED	New ED	H	New ED	MultiCultural Center	951 Tristar Drive	
1095	New ED	New ED	H	New ED	Ashford Communities	6718 De Moss Drive	
1096	New ED	New ED	H	New ED	To Be Determined		
1097	SRD001C	SRD001C	H	SRD001C	County Attorney Conference Center	1019 Congress Avenue	
1098	0631	SRD126C	H	SRD126C	HCPL Barbara Bush Branch	6817 Cypresswood Drive	at Castletown Pa
1099	SRD126P	SRD126P	H	SRD126P	Prairie View A&M University Northwest	9449 Grant Road	
1100	SRD127A	SRD127A	H	SRD127A	Atascocita Branch Library	19520 Pinehurst Trail Drive	
1101	0659	SRD127H	H	SRD127H	Lake Houston Church of Christ	8003 Farmingham Road	at FM 1960 East
1102	SRD127J	SRD127J	H	SRD127J	Journey of Faith UMC	130 Atascocita Road	
1103	SRD127V	SRD127V	H	SRD127V	Victory Houston	809 West Road	
1104	0459	SRD127Y	H	SRD127Y	Kingwood Community Center	4102 Rustic Woods Drive	at West Lake Ho
1105	SRD128F	SRD128F	H	SRD128F	La Porte Recreation and Fitness Center	1322 South Broadway	
1106	SRD128J	SRD128J	H	SRD128J	San Jacinto Community Center	604 Highland Woods Dr	
1107	SRD128L	SRD128L	H	SRD128L	Crosby Community Center	409 Hare Road	
1108	SRD128P	SRD128P	H	SRD128P	East Harris County Activity Center	7340 Spencer Highway	
1109	SRD129	SRD129	H	SRD129	Freeman Branch Library	16616 Diana Lane	
1110	0654	SRD129E	H	SRD129E	El Franco Lee Community Center	9500 Hall Road	at Kingspoint Roa
1111	0653	SRD129E	V	SRD129E	El Franco Lee Community Center	9500 Hall Road	at Kingspoint Roa
1112	0774	SRD129E	V	SRD129E	El Franco Lee Community Center	9500 Hall Road	at Kingspoint Roa
1113	0843	SRD129E	V	SRD129E	El Franco Lee Community Center	9500 Hall Road	at Kingspoint Roa
1114	SRD129I	SRD129I	H	SRD129I	Clear Lake Islamic Center	17511 El Camino Real	
1115	SRD129P	SRD129P	H	SRD129P	Pipers Meadow Community Center	15920 Pipers View Dr	
1116	0545	SRD129S	H	SRD129S	Harris County Scarsdale Annex	10851 Scarsdale Boulevard	



	A	B	C	D	I	J	K
1117	0996	SRD129S	V	SRD129S	Harris County Scarsdale Annex	10851 Scarsdale Boulevard	
1118	0941	SRD129U	H	SRD129U	University of Houston Clear Lake	2700 Bay Area Boulevard	
1119	SRD129X	SRD129X	H	SRD129X	To Be Determined		
1120	0734	SRD130C	H	SRD130C	Juergens Hall Community Center	26026 Hempstead Highway	near Spring Cypr
1121	SRD130S	SRD130S	H	SRD130S	Saint John Lutheran Church and School	15235 Spring Cypress Road	
1122	SRD130T	SRD130T	H	SRD130T	Tomball Public Works Building	501B James Street	
1123	0319	SRD131	H	SRD131	Hiram Clarke Multi Service Center	3810 West Fuqua Street	near Buffalo Spe
1124	0649	SRD131I	H	SRD131I	To Be Determined		
1125	SRD131K	SRD131K	H	SRD131K	Kingdom Builders Center	6011 West Orem Drive	
1126	0458	SRD131P	H	SRD131P	The Power Center	12401 South Post Oak Road	at South Main St
1127	SRD131R	SRD131R	H	SRD131R	Raindrop Turkish House	9301 West Bellfort Boulevard	
1128	SRD132A	SRD132A	H	SRD132A	Lakeland Activity Center	16919 North Bridgeland Lake Parkway	
1129	SRD132H	SRD132H	H	SRD132H	Morton Ranch High School	21000 Franz Road	
1130	0772	SRD132J	H	SRD132J	James E Taylor High School	20700 Kingsland Boulevard	at Dominion Driv
1131	0119	SRD132K	H	SRD132K	Katy Branch Harris County Public Library	5414 Franz Road	near Drexel Stree
1132	0305	SRD132L	H	SRD132L	Lone Star College Cypress Center	19710 Clay Road	near North Fry R
1133	0951	SRD132L	V	SRD132L	Lone Star College Cypress Center	19710 Clay Road	near North Fry R
1134	SRD132X	SRD132X	H	SRD132X	To Be Determined		
1135	0483	SRD133	H	SRD133	Nottingham Park Building	926 Country Place Drive	at Kimberley Driv
1136	0626	SRD133C	H	SRD133C	To Be Determined		
1137	0272	SRD133U	H	SRD133U	Unity of Houston Annex	2819 Hillcroft Street	at Hillcroft Stree
1138	SRD133X	SRD133X	H	SRD133X	To Be Determined		
1139	SRD133Z	SRD133Z	H	SRD133Z	First Congregational Church	10840 Beinhorn Road	
1140	0274	SRD134C	H	SRD134C	Crowne Plaza Houston Galleria	7611 Katy Freeway	at Silber Road
1141	0434	SRD134G	H	SRD134G	Hampton Inn Galleria	4500 Post Oak Parkway	at West Loop
1142	0178	SRD134G	V	SRD134G	Hampton Inn Galleria	4500 Post Oak Parkway	at West Loop
1143	SRD134I	SRD134I	H	SRD134I	Hampton Inn & Suites Houston I-10/Central	5820 Katy Freeway	
1144	0200	SRD134M	H	SRD134M	Metropolitan MultiService Center	1475 West Gray Street	at Metropolitan
1145	0361	SRD134R	H	SRD134R	Reckling Park - Rice University Athletics	2050 University	
1146	SRD134W	SRD134W	H	SRD134W	HCC West Loop South	5601 West Loop South	
1147	0074	SRD135	H	SRD135	City Jersey Village Municipal Government Center	16327 Lakeview Drive	near Acapulco Dr

A	B	C	D	I	J	K	
1148	0790	SRD135W	H	SRD135W	Richard and Meg Weekly Community Center	8440 Greenhouse Road	near Longenbaug
1149	0008	SRD137B	H	SRD137B	Bayland Park Community Center	6400 Bissonnet Street	near Hillcroft
1150	0559	SRD137C	H	SRD137C	Comfort Suites Westchase	2830 Wilcrest Drive	at Meadowglen
1151	SRD137T	SRD137T	H	SRD137T	Tracy Gee Community Center	3599 Westcenter Drive	
1152	SRD138I	SRD138I	H	SRD138I	ISGH Bear Creek Community Center	17250 Coventry Park Drive	
1153	0407	SRD138J	H	SRD138J	John Knox Presbyterian Church	2525 Gessner Road	at Brigade Street
1154	0621	SRD138K	H	SRD138K	Katherine Tyra Branch Library	16719 Clay Road	at Kinloch Drive
1155	0707	SRD138S	H	SRD138S	Trini Mendenhall Community Center	1414 Wirt Road	at Shadyvilla Lan
1156	0443	SRD138S	V	SRD138S	Trini Mendenhall Community Center	1414 Wirt Road	at Shadyvilla Lan
1157	0761	SRD138S	V	SRD138S	Trini Mendenhall Community Center	1414 Wirt Road	at Shadyvilla Lan
1158	0120	SRD138Z	H	SRD138Z	Encourager Church	10950 Katy Freeway	near Brittmore R
1159	SRD139A	SRD139A	H	SRD139A	Acres Homes Multi Service Center	6719 West Montgomery Road	
1160	SRD139F	SRD139F	H	SRD139F	Fallbrook Church	12512 Walters Road	
1161	0848	SRD139V	H	SRD139V	Lone Star College Victory Center	4141 Victory Drive	at Vogel Road
1162	0779	SRD140	H	SRD140	Hardy Street Senior Citizens Center	11901 West Hardy Road	at Canino Road
1163	0714	SRD140	V	SRD140	Hardy Street Senior Citizens Center	11901 West Hardy Road	at Canino Road
1164	SRD140B	SRD140B	H	SRD140B	BakerRipley East Aldine Campus	3000 Aldine Mail Route Road	
1165	0254	SRD140X	H	SRD140X	Anclamars W Reception Hall B	10330 Eastex Fwy	
1166	0212	SRD140X	V	SRD140X	Anclamars W Reception Hall	10330 Eastex Freeway	south of Lakewo
1167	0937	SRD140X	V	SRD140X	Anclamars W Reception Hall	10330 Eastex Freeway	south of Lakewo
1168	SRD141B	SRD141B	H	SRD141B	Bammel Church of Christ - Kaleo Building	2700 Cypress Creek Parkway	
1169	SRD141C	SRD141C	H	SRD141C	Northeast Multi Service Center	9720 Spaulding Street	
1170	SRD141G	SRD141G	H	SRD141G	Green House International Church	200 West Greens Road	
1171	SRD141I	SRD141I	H	SRD141I	Holiday Inn Houston Intercontinental Airport Hotel	15222 John F Kennedy Boulevard	
1172	SRD141L	SRD141L	H	SRD141L	Lone Star College North Harris	2700 WW Thorne Drive	
1173	SRD141N	SRD141N	H	SRD141N	HCC North Forest Campus	6010 Little York Road	
1174	0108	SRD141U	H	SRD141U	Humble Civic Center	8233 Will Clayton Pkwy	
1175	0911	SRD141U	V	SRD141U	Humble Civic Center	8233 Will Clayton Pkwy	
1176	0045	SRD142C	H	SRD142C	C E King Middle School	8530 C E King Parkway	
1177	0344	SRD142G	H	SRD142G	Greater Emmanuel Family Worship Center	3915 Kelley Street	at Sayers Street
1178	SRD142H	SRD142H	H	SRD142H	Houston Food Bank	535 Portwall St	

	A	B	C	D	I	J	K
1179	0042	SRD142K	H	SRD142K	Kashmere MultiService Center	4802 Lockwood Drive	at Rand Road
1180	0373	SRD142K	V	SRD142K	Kashmere MultiService Center	4802 Lockwood Drive	at Rand Road
1181	0406	SRD142K	V	SRD142K	Kashmere MultiService Center	4802 Lockwood Drive	at Rand Road
1182	SRD142T	SRD142T	H	SRD142T	Tuffley Park Community Center	3200 Russell Street	
1183	0460	SRD142W	H	SRD142W	North Channel Branch Library	15741 Wallisville Road	at Carpenters La
1184	0141	SRD142Z	H	SRD142Z	Martin Flukinger Community Center	16003 Lorenzo Street	
1185	0208	SRD143G	H	SRD143G	Alvin D Baggett Community Center	1302 Keene Street	
1186	0081	SRD143G	V	SRD143G	Alvin D Baggett Community Center	1302 Keene Street	
1187	0860	SRD143G	V	SRD143G	Alvin D Baggett Community Center	1302 Keene Street	
1188	0010	SRD143R	H	SRD143R	Neighborhood Centers Inc Ripley House Campus	4410 Navigation Boulevard	at North Jenkins
1189	0102	SRD144	H	SRD144	Lee College	200 Lee Drive	
1190	0527	SRD144J	H	SRD144J	John Phelps Courthouse	101 South Richey Street	
1191	0154	SRD145C	H	SRD145C	HCC Southeast College Building C Parking Garage	6960 Rustic Street	at Garland Drive
1192	0541	SRD146F	H	SRD146F	Crowne Plaza Houston NRG	8686 Kirby Drive	
1193	SRD146N	SRD146N	H	SRD146N	NRG Center	1 NRG Pkwy	
1194	SRD146S	SRD146S	H	SRD146S	Sunnyside Multi Service Center	9314 Cullen Boulevard	
1195	SRD146Y	SRD146Y	H	SRD146Y	J J Roberson Family Life Center	4810 Redbud	
1196	0223	SRD146Z	H	SRD146Z	Holiday Inn Houston NRG/Med Center	8111 Kirby Dr	at LaConcha Lane
1197	SRD147B	SRD147B	H	SRD147B	Beverly Hills Community Center	9800 Kingspoint Road	
1198	0016	SRD147C	H	SRD147C	Toyota Center	1510 Polk St	
1199	0037	SRD147E	H	SRD147E	West End Multi Service Center	170 Heights Boulevard	
1200	0390	SRD147S	H	SRD147S	Wheeler Avenue Baptist Church	3826 Wheeler Ave	
1201	New	SRD147S	H	SRD147S	University of Saint Thomas	3800 Montrose Boulevard	
1202	SRD147T	SRD147T	H	SRD147T	Texas Southern University	3100 Cleburne Street	
1203	0389	SRD147U	H	SRD147U	University of Houston	4800 Calhoun Road	
1204	0538	SRD147Y	H	SRD147Y	Alice McKean Young Neighborhood Library	5107 Griggs Road	near Martin Luth
1205	SRD147Z	SRD147Z	H	SRD147Z	Shrine of The Black Madonna Cultural and Event Center	5309 Martin Luther King Boulevard	
1206	0086	SRD148B	H	SRD148B	Sheraton Houston Brookhollow Hotel	3000 North Loop West Freeway	at Directors Row
1207	0323	SRD148B	V	SRD148B	Sheraton Houston Brookhollow Hotel	3000 North Loop West Freeway	at Directors Row
1208	SRD148C	SRD148C	H	SRD148C	Saint Charles Borromeo Church	501 Tidwell Rd	
1209	0966	SRD148H	H	SRD148H	The Grand Tuscany Hotel	12801 Northwest Freeway	at Northwest Fre

	A	B	C	D	I	J	K
1210	SRD148M	SRD148M	H	SRD148M	Moody Park Community Center	3725 Fulton Street	
1211	0054	SRD148S	H	SRD148S	SPJST Lodge Num 88	1435 Beall Street	at 15th Street
1212	0902	SRD148Z	H	SRD148Z	Resurrection Metropolitan Community Church	2025 West 11th Street	near T C Jester B
1213	SRD149H	SRD149H	H	SRD149H	HCC Alief Center	13803 Bissonnet St	
1214	SRD149I	SRD149I	H	SRD149I	Mission Bend Islamic Center	6233 Tres Lagunas	
1215	SRD149X	SRD149X	H	SRD149X	To Be Determined		
1216	SRD150B	SRD150B	H	SRD150B	To Be Determined		
1217	0575	SRD150K	H	SRD150K	Klein Multipurpose Center	7500 FM 2920	west of Alvin A K
1218	SRD150L	SRD150L	H	SRD150L	Lone Star College Creekside	8747 West New Harmony Trail	
1219	SRD150R	SRD150R	H	SRD150R	Spring First Church	1851 Spring Cypress Road	
1220	SRD150X	SRD150X	H	SRD150X	Hosanna Lutheran Church	16526 Ella Blvd	
1221	*Polling Locations may change up until Election Day						

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
	ED Voting Room	EV Voting Room	City	Zip	EV Site	US Rep	St Sen	St Rep	SBOE	JP	CC	Unavailable Note	ated In
1			Houston		EV	9	13	131	4	7	1		0332
2			Houston	77081	EV	7	17	134	6	1	3		
3			Houston	77014	EV	18	15	139	4	4	1		
4			Humble	77338	EV	2	15	141	8	4	4		
5			Houston	77029	EV	18	15	142	4	2	1		
6			Houston	77087	EV	29	6	145	4	6	2		
7			Houston	77054	EV	9	13	146	4	7	1		
8			Houston	77002	EV	18	13	147	4	1	1		0016
9			Houston	77008-6320	EV	2	15	134	6	1	4		
10			Houston	77083	EV	9	17	149	6	5	3		
11			Houston	77002	EV	18	13	145	4	1	1		0890
12	Conference Room	Conference Room	Houston	77379-7705	EV	2	7	126	6	4	4	HCPL Barbara Bush Branch too small	0631
13	Elliot Room	Elliot Room	Spring	77070	EV	2	7	126	6	4	4		0694
14	Room 107	Room 107	Houston	77070	EV	2	7	126	6	4	4		0351
15	Meeting Room	Meeting Room	Humble	77346	EV	2	4	127	8	4	2		0659
16	Fellowship Hall	Fellowship Hall	Humble	77346-2249	EV	2	4	127	8	4	2		0388
17	Journey Room	Journey Room	Humble	77396	EV	2	15	127	8	4	2		0595
18	Large Worship Area	Large Worship Area	Houston	77038	EV	18	7	127	8	4	4		0459
19	Auditorium	Auditorium	Kingwood	77345-1350	EV	2	4	127	8	4	4		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
31	Senior Center	Senior Center	La Porte	77571	EV	36	11	128	8	8	2		0561
32	Assembly Room	Assembly Room	Highlands	77562	EV	36	15	128	8	3	2		0063
33	Large Assembly Room	Large Assembly Room	Crosby	77532	EV	36	4	128	8	3	2		0502
34	Big Room	Big Room	Pasadena	77505	EV	36	11	128	8	8	2		0352
35	Meeting Room	Meeting Room	Houston	77062	EV	36	11	129	8	8	2		0941
36	Auditorium	Auditorium	Houston	77089	EV	22	11	129	8	2	1		0654
37	Community Hall	Community Hall	Houston	77058	EV	36	11	129	8	8	2		0748
38			Webster	77598	EV	22	11	129	8	8	2		0416
39	Room D-110	Room D-110	Houston	77089	EV	22	6	129	8	2	1		0545
40	Garden Room	Garden Room	Houston	77058	EV	36	11	129	8	8	2	Freeman Branch Library is small with	0941
41					EV	22	11	129	8	2	1	Calvary Church Houston Friendswood	0474
42	Dance Hall		Cypress	77429-7321	EV	10	7	130	6	4	3		0734
43	Gym	Gym	Cypress	77429	EV	10	7	130	6	4	3		0300
44	Training Room	Training Room	Tomball	77375	EV	10	7	130	6	4	4		0127
45	Auditorium	Auditorium	Houston	77045-6402	EV	9	13	131	4	7	1		0319
46					EV	9	17	131	4	5	1		0649
47	Great Room	Great Room	Houston		EV	9	13	131	4	7	1		0332
48	Green Room	Green Room	Houston	77045-2020	EV	9	13	131	4	7	1		0458
49	Ballroom	Ballroom	Houston	77031	EV	9	13	131	4	7	1		0462
50	Sandpiper Room	Sandpiper Room	Cypress	77433	EV	10	18	132	8	5	3	Berry Center and LSC CyFair unavailable	0149
51	Performing Arts	Performing Arts	Katy	77449	EV	10	18	132	8	5	3		0119, 0639
52	Auditorium Lobby	Auditorium Lobby	Katy	77450-2705	EV	10	17	132	6	5	3		0772
53	Meeting Room	Meeting Room	Katy	77493-1717	EV	10	18	132	8	5	3		0119
54	CY 106 and 107	CY 106 and 107	Katy	77449	EV	7	7	132	8	5	3		0305
55					EV	10	7	132	8	5	3		0511
56	Meeting Room	Meeting Room	Houston	77079	EV	7	17	133	6	5	3		0483
57					EV	7	17	133	6	5	3		0626
58	Annex	Annex	Houston	77057	EV	7	17	133	6	5	3		0129
59					EV	7	17	133	6	5	3	Tried Econolodge West Energy Corri	0645
60	Assembly Room	Assembly Room	Houston	3098	EV	7	7	133	6	5	3		0213
61	Laurel Ballroom	Laurel Ballroom	Houston	77024-2004	EV	2	17	134	6	5	3		0730

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
62	Uptown Room	Uptown Room	Houston	77027-3419	EV	7	17	134	6	1	4		0434
63	Bayou City Ballro	Bayou City Ballr	Houston	77007	EV	2	15	134	6	1	4		0071
64	MMSL AR 2 3 (g)	MMSL AR 2 3 (g)	Houston	77019-4926	EV	2	15	134	6	1	1		0200
65			Houston		EV		2	13	134	6	1		0361
66	Auditorium	Auditorium	Houston	77081	EV	7	17	134	6	1	3		0570
67	Civic Center in M	Civic Center in N	Houston	77040-2029	EV	7	7	135	6	4	4		0074
68	Room 300	Room 300	Cypress	77433-5135	EV	7	7	135	8	5	3		0790
69	Auditorium	Auditorium	Houston	77074	EV	7	13	137	6	5	3		0256
70	Meeting Room	Meeting Room	Houston	77042-3340	EV	9	13	137	6	5	3	Tried Comfort Suites Wetschase, but	0559
71	Auditorium	Auditorium	Houston	77042	EV	9	13	137	6	5	3		0566
72	Community Cent	Community Cent	Houston	77084	EV	7	7	138	6	5	4		0882
73	Education Buildir	Education Buildi	Houston	77080	EV	2	15	138	6	5	3		0407
74	Meeting Room	Meeting Room	Houston	77084	EV	7	7	138	6	5	3		0650
75	Auditorium	Auditorium	Houston	77055-4917	EV	2	15	138	6	1	3		0707
76	Gym	Gym	Houston	77043	EV	2	7	138	6	5	3		0120
77	Auditorium	Auditorium	Houston	77091	EV	18	15	139	4	1	1		0327
78	Brooks Sports Gy	Brooks Sports G	Houston	77014	EV	18	15	139	4	4	1		0660
79	Room 102	Room 102	Houston	77088	EV	18	15	139	4	1	1		0848
80	Auditorium	Auditorium	Houston	77076-1220	EV	29	6	140	4	1	1		0321
81	Ballroom	Ballroom	Houston	77039	EV	29	6	140	4	1	2		0411
82	Hall B	Hall B	Houston	77093	EV	29	6	140	4	3	2		0254
83	Kaleo Building	Kaleo Building			EV	18	15	141	4	4	1		0657
84	Auditorium	Auditorium	Houston	77016	EV	18	13	141	4	3	1		0611
85	Church	Church	Houston	77067	EV	18	6	141	4	4	4		0358
86	Trinity Ballroom	Trinity Ballroom	Houston		EV	18	15	141	4	4	1		0283
87	YMCA Building	YMCA Building	Houston	77073	EV	18	15	141	4	4	1		0657
88			Houston	77016	EV	18	13	141	4	3	1		0454
89	Meeting Rooms	Meeting Rooms	Humble	77338	EV	2	15	141	8	4	4		0108
90	Big Gym	Big Gym	Houston	77044	EV	29	6	142	4	3	1		0045
91	The Hall	The Hall	Houston	77026-1411	EV	18	6	142	4	1	1		0344
92	Community Roof	Community Roof	Houston	77029	EV	18	15	142	4	2	1		0259

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
93	Auditorium	Auditorium	Houston	77026-2941	EV	18	13	142	4	1	1		0042
94	Multipurpose Room	Multipurpose Room	Houston	77026	EV	18	13	142	4	6	1		0854
95	Meeting Room	Meeting Room	Houston	77049-4607	EV	29	15	142	4	3	1	North Channel Branch Library too small	0460
96	Large Assembly Room	Large Assembly Room	Channelview	77530	EV	36	6	143	8	3	2		0141
97	Conference Room	Conference Room	Galena Park	77547	EV	29	6	143	4	2	2		0208
98	Gym	Gym	Houston	77011-1036	EV	29	6	143	4	6	2		0010
99	Gym	Gym	Baytown	77520	EV	36	6	144	8	3	2	Baytown Senior Center not available	0102
100	Training Room	Training Room	Pasadena	77506	EV	29	6	144	4	2	2		0527
101	Learning Hub	Learning Hub	Houston	77087	EV	29	6	145	4	6	2		0154
102	Meeting Room	Meeting Room	Houston	77054	EV	9	13	146	4	7	1	Fiesta Mart not available and way too small	0541
103	Arena	Hall D	Houston	77054	EV	9	13	146	4	7	1		0223
104	Auditorium 189	Auditorium 189	Houston	77051	EV	9	13	146	4	7	1		0158
105	Gym	Gym	Houston	77033	EV	18	13	146	4	7	1		0573
106	Royal Oaks Ballroom	Royal Oaks Ballroom	Houston	77054-1705	EV	9	13	146	4	7	1		0223
107	Multipurpose Room	Multipurpose Room	Houston	77075	EV	29	6	147	4	2	1		0536
108	VIP A and B	VIP A and B	Houston	77002	EV	18	13	147	4	1	1		0016
109	Auditorium	Auditorium	Houston	77007	EV	2	15	147	6	1	1		0037
110	Gym	Gym	Houston	77006	EV	2	15	147	6	1	1		0039
111	Gymnasium	Gymnasium	Houston	77004-2604	EV	18	13	147	4	7	1		0390
112			Houston	77004	EV	18	13	147	4	7	1	Attempting to reserve Texas Southern	0085
113			Houston	77004	EV	18	13	147	4	7	1		0389
114	Meeting Room	Meeting Room	Houston	77021	EV	18	13	147	4	7	1		0538
115			Houston	77021	EV	18	13	147	4	7	1	Young Library too small and Black Mountain	0156
116	Grand Ballroom	Grand Ballroom	Houston	77092-8810	EV	18	15	148	6	1	4		0323
117	Gym	Gym	Houston	77022	EV	29	6	148	4	1	2		0105
118	The Plaza	The Plaza	Houston	77040	EV	18	15	148	6	1	4		0966
119	Gym	Gym	Houston	77009	EV	29	6	148	6	1	2		0206
120	Annex in back of	Annex in back of	Houston	77008-3441	EV	2	15	148	6	1	4		0054
121	Activities Building	Activities Building	Houston	77008-6320	EV	2	15	134	6	1	4		0902
122	Room 157	Room 157	Houston	77083	EV	9	17	149	6	5	3		0428
123	Basketball Court	Prayer Room	Houston	77083	EV	9	13	149	6	5	3	Alief ISD Admin Building is not available	0487



	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
124					EV	9	17	149	6	5	3	Tried Saint Justin Martyr and Arya S	0814
125					EV	8	7	150	8	4	4	Big Stone Lodge (1600) NCNR, but th	0897
126	Room 402	Room 402	Spring	77379-2204	EV	8	7	150	6	4	4	Not a larger location available for 3	0575
127	Room 116	Room 116	Tomball	77375	EV	8	4	150	6	4	4		0955
128	Main Sanctuary	Main Sanctuary	Spring	77388	EV	2	7	150	6	4	4	Revival House is not ADA compliant.	0246
129	Fellowship Hall	Fellowship Hall	Houston	77090	EV	18	15	141	4	4	1		0520
130													
131													
132	<b>ED Voting Room</b>	<b>EV Voting Room</b>	<b>City</b>	<b>Zip</b>	<b>EV Site</b>	<b>US Rep</b>	<b>St Sen</b>	<b>St Rep</b>	<b>SBOE</b>	<b>JP</b>	<b>CC</b>		
133	Library in front of school		Houston	77007-3923		18	6	145	6	1	2		
134	Library in front of school		Houston	77007-3923		18	13	145	4	1	2		
135	Gym		Houston	77007		18	6	147	6	1	2		
136	Gym		Houston			18	6	147	6	1	1		
137	Auditorium		Houston	77009-6009		18	15	145	6	1	1		
138	Library		Houston	77009-6613		18	15	148	6	1	1		
139	Main MultiPurpose Room		Houston	77009-5257		18	15	148	6	1	1		
140	Cafeteria		Spring	77373-7716		18	7	150	8	4	4		
141	Main MultiPurpose Room		Houston	77003-2326		18	6	145	4	6	2		
142	Main MultiPurpose Room		Houston	77003-2326		18	13	145	4	6	2		
143	Main MultiPurpose Room		Houston	77003-2326		18	6	142	4	6	2		
144	Main MultiPurpose Room		Houston	77003-2326		18	13	145	4	6	2		
145	Main MultiPurpose Room		Houston	77011-4135		29	6	143	4	6	2		
146						36	6	128	8	3	2		
147						36	6	128	8	3	2		
148	Assembly Room 131D		Houston	77096-4925		7	17	134	6	5	1		
149	Assembly Room 131D		Houston	77096-4925		9	17	146	4	7	1		
150						7	17	134	6	1	3		
151	Library		Houston	77025-4605		7	17	146	4	7	1		
152	Library		Houston	77025-3600		7	17	134	6	7	1		
153	Library		Houston	77025-3600		7	17	134	6	7	1		
154	Library		Houston	77025-3600		7	17	134	6	7	1		
155	Library		Houston	77025-3600		7	17	134	6	7	1		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
156	Courtroom		Houston	77003		18 13	18 13	147	4 6 1				
157	Courtroom		Houston	77003		18 13	18 13	145	4 1 1				
158	Courtroom		Houston	77003		18 13	18 13	145	4 6 1				
159	Fellowship Hall		Houston	77004-3810		18 13	18 13	147	4 7 1				
160	Cultural Center		Houston	77004-3159		18 13	18 13	147	4 7 1				
161	Cultural Center		Houston	77004-3159		18 13	18 13	147	4 7 1				
162	Library		Houston	77035-5218		9 13	9 13	146	4 7 1				
163	Library		Houston	77035-5218		9 13	9 13	146	4 7 1				
164	Girls Gym		Houston	77004		18 13	18 13	147	4 7 1				
165	Girls Gym		Houston	77004		18 13	18 13	147	4 7 1				
166						29 6	29 6	145	4 6 2				
167	Community Room 120		Houston	77023-1902		29 6	29 6	145	4 6 2				
168	1st floor Clubhouse		Baytown	77521-3670		36 15	36 15	128	8 3 2				
169						29 6	29 6	145	4 2 2				
170						18 15	18 15	147	4 1 1				
171						18 15	18 15	147	4 1 1				
172						18 15	18 15	145	4 1 1				
173						18 13	18 13	146	4 7 1				
174						2 15	2 15	147	6 1 1				
175						18 15	18 15	147	4 1 1				
176	Exhibit Hall		Houston	77019-5534		2 15	2 15	147	6 1 1				
177	Library		Houston	77019		2 15	2 15	147	6 1 1				
178	Auditorium		Houston	77061-2056		9 6	9 6	147	4 2 2				
179	Auditorium		Houston	77061-2056		9 6	9 6	147	4 2 2				
180	Gym		Houston	77006-1830		2 15	2 15	134	6 1 1				
181	Community Room Chapel		Houston	77006-3730		2 15	2 15	147	6 1 1				
182						2 7	2 7	150	8 4 4				
183						2 15	2 15	148	6 1 3				
184	Rooms 135 and 136		Houston	77009-8039		18 6	18 6	148	6 6 2				
185	Rooms 135 and 136		Houston	77009-8039		18 13	18 13	145	4 1 2				
186	Rooms 135 and 136		Houston	77009-8039		18 6	18 6	145	6 6 2				

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
187	Library		Houston	77009-8437		29 6	29 6	148	6 6 2	6 6 2			
188	Library		Houston	77009-8437		18 6	18 6	148	4 6 2	4 6 2			
189	Library		Houston	77009-8437		29 6	29 6	148	4 6 1	4 6 1			
190	Library		Houston	77026		18 13	18 13	142	4 6 1	4 6 1			
191	Library		Houston	77026		18 13	18 13	142	4 6 1	4 6 1			
192	Library		Houston	77026		18 13	18 13	142	4 6 2	4 6 2			
193	Library		Houston	77026		18 13	18 13	148	4 6 1	4 6 1			
194	Library		Houston	77026		18 6	18 6	142	4 6 1	4 6 1			
195	Lecture Hall		Houston	77020		18 13	18 13	142	4 6 1	4 6 1			
196			Hockley			10 18	10 18	130	8 4 3	8 4 3			
197			Hockley			10 18	10 18	130	8 5 3	8 5 3			
198						7 7	7 7	135	6 5 3	6 5 3			
199						36 11	36 11	128	8 8 2	8 8 2			
200	Auditorium building 3		Houston	77007		2 15	2 15	134	6 1 1	6 1 1			
201						18 15	18 15	148	6 1 1	6 1 1			
202						18 15	18 15	134	6 1 1	6 1 1			
203						18 15	18 15	147	6 1 1	6 1 1			
204	Bayou City Ballroom		Houston	77007-2102		18 15	18 15	148	6 1 1	6 1 1			
205						2 7	2 7	138	6 5 3	6 5 3			
206	Bulldog Practice Gym		Houston	77008-7021		18 15	18 15	148	6 1 1	6 1 1			
207	Gymnasium		Houston	77008-6619		2 15	2 15	148	6 1 4	6 1 4			
208	Library		Houston	77008-4414		18 15	18 15	148	6 1 1	6 1 1			
209	Lobby		Houston	77098-1615		2 15	2 15	147	6 1 1	6 1 1			
210						29 6	29 6	140	4 1 2	4 1 2			
211	Gym		Houston	77020-6840		29 6	29 6	143	4 6 2	4 6 2			
212	Main MultiPurpose Room		Houston	77020-6840		29 6	29 6	143	4 6 2	4 6 2			
213	Main MultiPurpose Room		Houston	77020-6840		29 6	29 6	143	4 2 2	4 2 2			
214	Meeting Room		Highlands	77562-4546		36 15	36 15	128	8 3 2	8 3 2			
215	Gym		Houston	77011-4740		29 6	29 6	143	4 6 2	4 6 2			
216	Gym		Houston	77012-1199		29 6	29 6	143	4 6 2	4 6 2			
217	PLC RM		Houston	77012-2124		29 6	29 6	144	4 6 2	4 6 2			

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
218	Auditorium Lobby		Houston	77087-1012		29 6	29 6	145	4 6 2				
219	Gym		Houston	77051-1402		9 13	9 13	146	4 7 1				
220	Gym		Houston	77051-1402		9 13	9 13	146	4 7 1				
221	Main Office Lobby		Houston	77011-2629		29 6	29 6	143	4 6 2				
222	Room 103		Houston	77007-2007		2 15	2 15	134	6 1 4				
223						2 15	2 15	134	6 1 4				
224	Mason Clubhouse		Houston	77023-2701		29 6	29 6	145	4 6 2				
225	T Building		Houston	77008-3641		18 15	18 15	148	6 1 1				
226						22 11	22 11	129	8 2 1				
227	100C		Houston	77022-5618		29 6	29 6	148	4 1 2				
228	Room 40		Houston	77020-4930		29 6	29 6	143	4 6 2				
229	Multipurpose Room 118		Houston	77013		29 15	29 15	143	4 2 2				
230						2 7	2 7	126	6 4 4				
231	Gym		Deer Park	77536		36 11	36 11	144	8 8 2				
232	Library		Deer Park	77536		36 11	36 11	144	8 8 2				
233	Library		Deer Park	77536		36 6	36 6	144	8 8 2				
234	Parish Hall		Houston	77004-5527		18 13	18 13	147	4 7 1				
235	Grand Ballroom		Houston	77092-8810		2 15	2 15	148	4 1 4				
236	Clubhouse		Houston	77005-2899		7 17	7 17	134	6 1 3				
237	Clubhouse		Houston	77005-2899		2 17	2 17	134	6 1 3				
238	Clubhouse		Houston	77005-3715		7 17	7 17	134	6 1 3				
239	Events Room		El Lago	77586-6060		36 11	36 11	129	8 8 2				
240	Civic Center		Webster	77598-5230		36 11	36 11	129	8 8 2				
241	Civic Center		Webster	77598-5230		22 11	22 11	129	8 8 2				
242	Civic Center		Webster	77598-5230		22 11	22 11	129	8 8 2				
243	Gym		Houston	77059-5299		36 11	36 11	129	8 8 2				
244						29 6	29 6	144	4 2 2				
245						29 6	29 6	144	4 8 2				
246						36 6	36 6	144	4 2 2				
247	Conference Room		Houston	77079-4003		7 17	7 17	133	6 5 3				
248	Rooms 150 and 151		Houston	77044-7192		29 6	29 6	142	4 3 1				

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
249	Gym		Crosby	77532-4103		364	364	128	83	2			
250	Gym		Crosby	77532-4103		364	364	128	83	2			
251	Gym		Huffman	77336-4447		24	24	127	83	2			
252	White Meeting Room		Baytown	77520		366	366	144	83	2			
253						366	366	144	83	2			
254						364	364	128	83	2			
255						1813	1813	141	43	1			
256	Main MultiPurpose Room		Houston	77076-5031		296	296	148	41	2			
257	et		Houston	77093-7418		296	296	140	41	2			
258	et		Houston	77093-7418		296	296	140	41	1			
259	et		Houston	77093-7418		296	296	140	41	1			
260						1815	1815	139	41	1			
261						27	27	150	84	4			
262						187	187	150	84	4			
263						107	107	130	64	3			
264	Gym		Spring	77379-4315		27	27	126	64	4			
265	Cafeteria		Houston	77066		215	215	126	64	4			
266	Room A		Tomball	77375-4918		107	107	150	64	4			
267	Room A		Tomball	77375-4918		87	87	150	64	4			
268	Council Chambers		Houston	77055-7495		717	717	133	65	3			
269	Council Chambers		Houston	77055-7495		77	77	138	65	4			
270	Meeting Room		Houston	77092		215	215	148	61	4			
271	Meeting Room		Houston	77092		215	215	148	61	4			
272	Meeting Room		Houston	77092		215	215	148	61	4			
273						296	296	142	43	4			
274	Room 202		Houston	77022-2422		1815	1815	139	41	1			
275	Room 202		Houston	77022-2422		1815	1815	139	41	2			
276	Meeting Room		Houston	77006-4938		215	215	147	61	1			
277	Meeting Room		Houston	77006-4938		215	215	147	61	1			
278						215	215	147	41	1			
279	Cafeteria		Cypress	77433-5722		107	107	130	64	3			

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
280	Library		Houston	77070-4499		27	27	126	6	4	4		
281	Gym Hallway		Tomball	77377-2622		107	107	130	6	4	3		
282						107	107	130	6	4	4		
283			Bellaire	77401		717	717	134	6	1	3		
284			Bellaire	77401		717	717	134	6	5	3		
285	Main Hallway		Houston	77057-2801		717	717	133	6	5	3		
286						717	717	133	6	5	3		
287						717	717	137	6	5	3		
288	Fellowship Hall		Houston	77047-7102		913	913	131	4	7	1		
289	Parish Hall		Houston	77048-1896		913	913	146	4	7	1		
290	Parish Hall		Houston	77048-1896		913	913	147	4	7	1		
291	Multipurpose Room		Houston	77005		717	717	134	6	1	3		
292	Main MultiPurpose Room		Houston	77027-4003		717	717	134	6	1	4		
293	Main MultiPurpose Room		Houston	77027-4003		717	717	134	6	1	4		
294	Parish Hall Building C		Houston	77004-6214		1813	1813	147	4	7	1		
295	Family Life Center		Houston	77026-4405		1813	1813	142	4	1	1		
296	Performance Room		Houston	77098-1003		717	717	134	6	1	4		
297	Multipurpose Room		Houston	77021-1311		1813	1813	146	4	7	1		
298	Multipurpose Room		Houston	77021-1311		1813	1813	147	4	7	1		
299	Room 131 in Library		Cypress	77433-1383		107	107	132	8	5	3		
300						1813	1813	142	4	1	1		
301						1813	1813	142	4	1	1		
302	Main MultiPurpose Room		Houston	77035-2807		717	717	146	4	5	1		
303						1815	1815	139	4	1	1		
304	First floor atrium at cafeteria		Houston	77030		217	217	134	6	1	1		
305	PE Room		Cypress	77433		1018	1018	132	8	5	3		
306	PE Room		Cypress	77433		1018	1018	132	8	5	3		
307	PE Room		Cypress	77433		1018	1018	132	8	4	3		
308						186	186	141	4	3	1		
309						186	186	141	4	3	1		
310						186	186	141	4	3	1		

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
311	Main MultiPurpose Room		Houston	77093-4604		29 6	29 6	140	4 1 2	4 1 2			
312	Annex Room		Houston	77022-6125		29 6	29 6	148	4 1 2	4 1 2			
313	Cafeteria		Houston	77041-6505		2 7	2 7	138	6 5 4	6 5 4			
314	Cafeteria		Houston	77021-2711		18 13	18 13	147	4 7 1	4 7 1			
315	Main MultiPurpose Room		Houston	77091-3716		18 15	18 15	139	4 1 1	4 1 1			
316	Multi Purpose		Houston	77051-3132		9 13	9 13	146	4 7 1	4 7 1			
317	Hall		Houston	77020-5834		18 13	18 13	142	4 6 1	4 6 1			
318	Hall		Houston	77020-5834		18 13	18 13	142	4 6 1	4 6 1			
319	Hall		Houston	77020-5834		18 13	18 13	142	4 6 2	4 6 2			
320	Hall		Houston	77020-5834		18 6	18 6	145	4 6 1	4 6 1			
321	Hall		Houston	77020-5834		18 13	18 13	142	4 1 2	4 1 2			
322	Auditorium		Houston	77020-4224		18 13	18 13	142	4 6 1	4 6 1			
323	Auditorium		Houston	77020-4224		18 13	18 13	142	4 6 1	4 6 1			
324	Auditorium		Houston	77020-4224		18 13	18 13	142	4 6 1	4 6 1			
325						29 6	29 6	143	4 2 2	4 2 2			
326						36 6	36 6	144	8 2 2	8 2 2			
327	Gym		Jacinto City	77029-2515		29 6	29 6	143	4 2 2	4 2 2			
328	Main MultiPurpose Room		Houston	77029		18 15	18 15	143	4 2 1	4 2 1			
329	Main MultiPurpose Room		Houston	77029		18 15	18 15	143	4 2 1	4 2 1			
330	Main MultiPurpose Room		Houston	77029		18 6	18 6	143	4 2 1	4 2 1			
331						2 15	2 15	138	6 5 3	6 5 3			
332	The Big Hall, Building 1		Houston	77009-1196		18 6	18 6	148	6 1 2	6 1 2			
333	The Big Hall, Building 1		Houston	77009-1196		18 15	18 15	139	4 1 2	4 1 2			
334	Science Lab		Houston	77016-7027		18 13	18 13	141	4 1 1	4 1 1			
335	Science Lab		Houston	77016-7027		18 13	18 13	141	4 1 1	4 1 1			
336						18 15	18 15	139	4 1 1	4 1 1			
337						29 6	29 6	144	8 8 2	8 8 2			
338						18 6	18 6	142	4 1 1	4 1 1			
339						29 6	29 6	142	4 1 1	4 1 1			
340						10 7	10 7	130	6 4 4	6 4 4			
341	Chapel		Houston	77059-6034		36 11	36 11	129	8 8 2	8 8 2			

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
342						7	17	134	6	1	1		
343	Data Room 317		Houston	77096-2622		7	17	134	6	5	3		
344	Gym		Houston	77055-5200		2	15	148	6	1	3		
345	Multi purpose rm		Houston	77021-4861		18	13	146	4	7	1		
346	Gym		Houston	77017-4958		29	6	144	4	2	2		
347	Gym		Houston	77017-4958		29	6	144	4	2	2		
348	John Neighbors Activity Room		Houston	77005-2814		7	17	134	6	1	3		
349	Activities Room		Houston	77022-1944		29	6	148	4	1	2		
350						18	6	140	4	1	1		
351						29	6	144	4	2	2		
352						29	6	144	4	2	2		
353	Room 201		Houston	77018-4106		18	15	139	4	1	4		
354						29	6	144	4	2	2		
355						29	6	144	4	2	2		
356						29	6	144	4	2	2		
357						18	13	147	4	7	1		
358	Cafeteria		Houston	77004-5650		18	13	147	4	7	1		
359						18	15	139	4	1	1		
360	Cafeteria		Houston	77088-6337		18	15	139	4	1	1		
361	Cafeteria		Houston	77088-6337		18	15	139	4	1	1		
362						2	4	127	8	4	4		
363	Auditorium		Houston	77020-7235		18	13	142	4	6	1		
364	Auditorium		Houston	77020-7235		18	13	145	4	6	1		
365	Fellowship Hall		Houston	77008-1204		2	15	134	6	1	4		
366	Cafeteria		Houston	77078		18	13	141	4	3	1		
367	Main MultiPurpose Room		Houston	77009-3703		29	6	148	6	1	2		
368						29	6	148	4	1	2		
369	Gym		Houston	77004-6199		18	13	147	4	7	1		
370			Houston	77017		29	6	145	4	2	2		
371			Houston	77017		29	6	145	4	2	2		
372						7	7	133	6	5	3		



	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
373	Multipurpose Room		Houston	77081		7 17	7 17	134	6 1	3			
374	Faith Center Gym		Bellaire	77401-4296		7 17	7 17	134	6 1	3			
375	Faith Center Gym		Bellaire	77401-4296		7 17	7 17	134	6 1	3			
376	Faith Center Gym		Bellaire	77401-4296		7 17	7 17	146	6 7	3			
377	Cafeteria		Houston	77045-5628		9 13	9 13	131	4 7	1			
378	Fellowship Hall		Houston	77019		7 17	7 17	134	6 1	4			
379	Main Hall		Houston	77023-4753		29 6	29 6	145	4 6	2			
380	Fellowship Hall		Houston	77021-2407		18 13	18 13	146	4 7	1			
381	Library		Channelview	77530-3518		36 15	36 15	143	8 3	2			
382	Main MultiPurpose Room		Houston	77017-6254		29 6	29 6	144	4 2	2			
383						2 13	2 13	134	6 1	1			
384	Main MultiPurpose Room		Houston	77025-3600		2 17	2 17	134	6 7	1			
385	Main MultiPurpose Room		Houston	77025-3600		7 17	7 17	146	6 7	1			
386	Main MultiPurpose Room		Houston	77025-3600		7 17	7 17	146	4 7	3			
387						7 7	7 7	135	6 4	4			
388	Main MultiPurpose		Houston	77012-3518		29 6	29 6	145	4 6	2			
389	Resource Room		Houston	77019-6016		7 17	7 17	134	6 1	4			
390	Section 1		Jacinto City	77029-2037		18 15	18 15	143	4 2	2			
391	Section 1		Jacinto City	77029-2037		18 15	18 15	143	4 2	2			
392	Section 1		Jacinto City	77029-2037		18 6	18 6	143	4 2	1			
393	Section 1		Jacinto City	77029-2037		18 15	18 15	143	4 2	2			
394	Section 1		Jacinto City	77029-2037		29 15	29 15	143	4 2	2			
395						18 13	18 13	141	4 1	1			
396						18 13	18 13	141	4 1	1			
397	Library		Houston	77087-3623		29 6	29 6	145	4 2	2			
398	Library		Houston	77087-3623		29 6	29 6	145	4 2	2			
399	Library		Houston	77087-3623		29 6	29 6	145	4 6	2			
400	Library		Houston	77087-3623		29 6	29 6	145	4 6	1			
401	Library		Houston	77087-3623		29 6	29 6	145	4 6	1			
402	Skyline Hallway		Houston	77025-1230		7 17	7 17	134	6 1	1			
403	Skyline Hallway		Houston	77025-1230		7 17	7 17	134	6 1	1			

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
404	Performance Area plus other area		Houston	77098		7	17	134	6	1	4		
405						7	17	133	6	5	3		
406	New Library		Houston	77021-3515		18	13	147	4	7	1		
407	Front Classroom		Houston	77033-2731		18	13	147	4	7	1		
408	Auditorium		Houston	77033-2797		18	13	147	4	7	1		
409	Library		Houston	77033-1832		18	13	147	4	7	1		
410	Main MultiPurpose Room		Houston	77033-2143		9	13	147	4	7	1		
411	Main MultiPurpose Room		Houston	77033-2143		18	13	147	4	7	1		
412						9	13	147	4	7	1		
413						29	11	144	8	8	2		
414	Gym		Houston	77064-9419		2	7	135	6	4	4		
415	Gym		Tomball	77375-8098		8	7	130	6	4	4		
416						2	7	150	6	4	4		
417	Community Room		Houston	77004-4649		18	13	147	4	7	1		
418						36	6	144	8	3	2		
419						36	6	128	8	3	2		
420	Large MultiPurpose Room		Baytown	77521-8338		36	15	128	8	3	2		
421	Gym		Crosby	77532-8660		36	15	142	8	3	2		
422	Fellowship Hall		Houston	77016-3007		18	13	141	4	3	1		
423						18	13	142	4	3	1		
424	Cafeteria		Houston	77035-3716		7	17	146	4	7	1		
425	Parent room R12		Houston	77074-6512		7	13	137	6	5	3		
426	Parent room R12		Houston	77074-6512		7	13	146	6	5	3		
427						29	6	147	4	2	1		
428						7	7	133	6	5	3		
429	Cafeteria		Houston	77029-3343		18	15	142	4	2	1		
430	Gym Rear Entrance		Houston	77041-4212		2	7	138	6	5	4		
431	Gym Rear Entrance		Houston	77041-4212		2	7	135	6	4	4		
432	Gym Rear Entrance		Houston	77041-4212		2	7	135	6	5	4		
433	Stage		Houston	77076-3413		29	6	140	4	1	2		
434	Stage		Houston	77076-3413		29	6	140	4	1	2		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
435	Stage		Houston	77076-3413		29	6	148	4	1	2		
436	Stage		Houston	77076-3413		18	6	140	4	1	2		
437	Stage		Houston	77076-3413		18	6	140	4	1	2		
438						2	15	138	6	5	4		
439						2	7	150	6	4	4		
440						18	15	138	6	5	4		
441						7	7	133	6	5	3		
442						29	6	143	4	3	2		
443						29	6	144	4	8	2		
444	Fellowship Hall		Bellaire	77401		7	17	134	6	1	3		
445						7	17	134	6	5	3		
446	Multipurpose Room		Houston	77092-2359		18	15	148	4	1	4		
447	Main MultiPurpose Room		Houston	77047-1508		9	13	146	4	7	1		
448						7	7	133	6	5	3		
449	Fellowship Hall		Houston	77061-2339		29	6	147	4	2	2		
450	Fellowship Hall		Houston	77061-2339		29	6	147	4	2	2		
451	FRONT FOYER		Houston	77033-3826		9	13	147	4	7	1		
452						29	6	144	4	8	2		
453	Family Life Center		Pasadena	77502-3501		29	6	144	4	2	2		
454	Family Life Center		Pasadena	77502-3501		29	6	144	4	2	2		
455	Fellowship Hall		Pasadena	77503		29	6	144	8	8	2		
456						29	6	145	4	2	2		
457	Main MultiPurpose Room		Houston	77096		7	17	134	6	5	3		
458	Main MultiPurpose Room		Houston	77096		7	17	134	6	5	3		
459	Clubhouse		Houston	77063-6231		7	17	137	6	5	3		
460	Front Foyer		Houston	77073-4608		18	15	141	4	4	1		
461	Main Entrance Foyer		Houston	77074-4212		9	13	146	6	5	3		
462	Cafeteria		Houston	77087-6113		9	6	147	4	6	1		
463	Cafeteria		Houston	77087-6113		29	6	147	4	6	2		
464	Main MultiPurpose Room		Houston	77085-3352		9	13	131	4	7	1		
465	Gym		Houston	77035-3602		7	13	131	4	7	1		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
466	Gym		Houston	77035-3602		7 13	146	4 7 1					
467	Gym		Houston	77035-3602		7 13	146	4 7 1					
468	Gym		Houston	77035-3602		7 13	146	4 7 1					
469	Cafeteria		Houston	77033-1324		9 13	147	4 7 1					
470						29 6	145	4 2 2					
471						36 11	129	8 8 2					
472	Auditorium		Houston	77045-5328		9 13	131	4 7 1					
473	Annex		Houston	77035-4305		9 17	146	4 5 1					
474						9 13	146	4 7 1					
475						9 13	146	4 7 1					
476	Main MultiPurpose Room		Houston	77036-6313		9 13	137	6 5 3					
477	MultiPurpose Room 2		Houston	77036-4052		9 13	137	6 5 3					
478	Dance Room		Houston	77063-5215		7 17	137	6 5 3					
479	Dance Room		Houston	77063-5215		7 13	137	6 5 3					
480						2 15	148	6 1 3					
481	Cafeteria		Cypress	77429-6981		10 7	130	6 4 3					
482						29 6	144	4 2 2					
483	Gym		Pasadena	77503-1830		29 6	144	8 8 2					
484	Gym		Pasadena	77503-1830		29 6	144	4 8 2					
485						7 17	133	6 5 3					
486	MultiPurpose Room		Houston	77096-2110		7 17	134	6 5 3					
487	Commons		Houston	77062		36 11	129	8 8 2					
488	Council Chambers		Nassau Bay	77058-3508		36 11	129	8 8 2					
489	Pasadena Room		Houston	77017-7009		29 6	147	4 2 2					
490	Pasadena Room		Houston	77017-7009		29 6	147	4 2 2					
491						7 7	133	6 5 3					
492						2 15	138	6 5 4					
493	Foyer		Houston	77036-6147		9 13	146	6 5 3					
494	Cafeteria		Houston	77063		7 17	133	6 5 3					
495	Library		Houston	77095-5503		7 7	135	6 5 3					
496	Library		Houston	77096-4603		7 17	134	6 5 3					



	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
528	Library		Houston	77009-4959		29 6	29 6	148	4 6 1	4 6 1			
529	Great Hall		Humble	77339-1496		2 4	2 4	127	8 4 4	8 4 4			
530	Auditorium		Houston	77022		29 6	29 6	148	4 1 2	4 1 2			
531						18 15	18 15	141	4 4 1	4 4 1			
532	Meeting Hall		Houston	77023-5399		29 6	29 6	145	4 6 2	4 6 2			
533	Meeting Hall		Houston	77023-5399		29 6	29 6	145	4 6 2	4 6 2			
534	Meeting Hall		Houston	77023-5399		29 6	29 6	145	4 6 1	4 6 1			
535	Community Center Room 907		Houston	77081-2715		7 13	7 13	137	6 1 3	6 1 3			
536						36 11	36 11	145	8 8 2	8 8 2			
537						36 11	36 11	145	8 8 2	8 8 2			
538	Main Office Hallway		Houston	77025-2271		2 17	2 17	134	6 1 1	6 1 1			
539						2 4	2 4	127	8 4 2	8 4 2			
540	C-21.101 Library Grand Hall		Pasadena	77505-5999		36 11	36 11	128	8 8 2	8 8 2			
541						29 15	29 15	142	4 3 1	4 3 1			
542						29 15	29 15	143	4 3 2	4 3 2			
543	Cafeteria		Houston	77047-2736		9 13	9 13	131	4 7 1	4 7 1			
544	Multipurpose Gym		Houston	77042-2320		7 17	7 17	133	6 5 3	6 5 3			
545						2 4	2 4	127	8 4 4	8 4 4			
546						18 6	18 6	141	4 4 4	4 4 4			
547	Cafeteria		Houston	77036-8200		9 13	9 13	131	4 7 1	4 7 1			
548						7 17	7 17	134	6 1 3	6 1 3			
549	Gym		Katy	77494		10 17	10 17	132	6 5 3	6 5 3			
550						2 15	2 15	142	4 4 4	4 4 4			
551	Hutson Gym		Houston	77091-5643		18 15	18 15	139	4 1 1	4 1 1			
552						18 15	18 15	140	4 1 4	4 1 4			
553	Community Room 148		Houston	77018-6545		18 15	18 15	139	4 1 1	4 1 1			
554	Community Room 148		Houston	77018-6545		18 15	18 15	139	4 1 1	4 1 1			
555						29 15	29 15	143	4 3 1	4 3 1			
556						29 6	29 6	143	4 3 1	4 3 1			
557	Gym		Cypress	77429-6403		10 7	10 7	130	6 4 3	6 4 3			
558	Clubhouse		Houston	77071-2504		9 13	9 13	131	4 7 1	4 7 1			

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
559	Ballroom		Houston	77013-2850		18 6	18 6	142	4 2	4 2	2		
560	Ballroom		Houston	77013-2850		18 6	18 6	142	4 2	4 2	2		
561	Ballroom		Houston	77013-2850		18 6	18 6	142	4 2	4 2	1		
562	Ballroom		Houston	77013-2850		18 15	18 15	142	4 2	4 2	2		
563	Large Assembly Room		Houston	77015-3912		29 6	29 6	143	4 3	4 3	2		
564	Large Assembly Room		Houston	77015-3912		29 6	29 6	144	4 3	4 3	2		
565	Large Assembly Room		Houston	77015-3912		29 6	29 6	144	8 3	8 3	2		
566	Large Assembly Room		Houston	77015-3912		36 6	36 6	144	4 3	4 3	2		
567						29 15	29 15	142	4 3	4 3	1		
568	Gymnasium		La Porte	77571-6717		36 11	36 11	129	8 8	8 8	2		
569	Gymnasium		La Porte	77571-6717		36 11	36 11	129	8 8	8 8	2		
570	Big Room		Friendswood	77546		22 11	22 11	129	8 2	8 2	1		
571	Fellowship Hall		Houston	77087-6410		9 6	9 6	147	4 2	4 2	1		
572						2 15	2 15	142	8 3	8 3	1		
573	Boys Gym		Channelview	77530-2697		36 6	36 6	143	4 3	4 3	2		
574	Boys Gym		Channelview	77530-2697		36 6	36 6	144	8 3	8 3	2		
575	Main MultiPurpose Room		Houston	77041-7536		18 15	18 15	139	6 1	6 1	4		
576	Main MultiPurpose Room		Houston	77041-7536		2 15	2 15	139	6 1	6 1	4		
577	Room 2		Houston	77071-2209		9 13	9 13	131	4 7	4 7	1		
578						7 7	7 7	133	6 5	6 5	3		
579						36 15	36 15	128	8 3	8 3	2		
580						36 15	36 15	128	8 3	8 3	2		
581						2 15	2 15	127	8 4	8 4	2		
582						2 15	2 15	142	8 4	8 4	2		
583						36 11	36 11	129	8 8	8 8	2		
584						36 11	36 11	129	8 8	8 8	2		
585						9 13	9 13	146	4 7	4 7	1		
586	Activity Center		Webster	77598		22 11	22 11	129	8 8	8 8	2		
587	Gym		Houston	77077-4901		7 17	7 17	133	6 5	6 5	3		
588	Meeting Room		Houston	77016		18 13	18 13	141	4 3	4 3	1		
589						2 7	2 7	138	6 5	6 5	4		

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
590	Chapel		Humble	77338		187	187	150	8	4	4		
591						717	717	149	6	5	3		
592	Multi-purpose Room		Houston	77028-2016		1813	1813	141	4	3	1		
593	Multi-purpose Room		Houston	77028-2016		186	186	142	4	3	1		
594	Cafeteria		Houston	77048-4725		913	913	131	4	7	1		
595	Cafeteria		Houston	77048-4725		913	913	131	4	7	1		
596	Game Room in Family Life Center		Houston	77096-4798		717	717	134	6	5	3		
597						296	296	144	8	8	2		
598	Library		Cypress	77433-3196		107	107	130	6	4	3		
599	Admin Building		Houston	77037-1304		296	296	140	4	1	1		
600	Admin Building		Houston	77037-1304		296	296	140	4	1	1		
601						296	296	140	4	1	2		
602						296	296	140	4	1	2		
603						296	296	140	4	1	2		
604						2915	2915	143	4	3	2		
605						3615	3615	128	8	3	2		
606						3611	3611	129	8	8	2		
607	Community Center		Webster	77598-2550		2211	2211	129	8	8	2		
608						226	226	129	4	2	1		
609	Main MultiPurpose Room		Houston	77075		296	296	147	4	2	1		
610						2911	2911	144	8	8	2		
611						3611	3611	128	8	8	2		
612						215	215	142	8	3	1		
613						215	215	142	8	4	2		
614	Main MultiPurpose Room		Houston	77048-1739		913	913	146	4	7	1		
615	Main MultiPurpose Room		Houston	77048-1739		913	913	146	4	7	1		
616	Main MultiPurpose Room		Houston	77048-1739		913	913	146	4	7	1		
617						296	296	140	4	1	1		
618						296	296	141	4	1	1		
619						215	215	138	6	5	3		
620	Library		Houston	77036-6310		913	913	137	6	5	3		



	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
621						9 13	146	6 5 3					
622	Room 157		Houston	77083-5916		9 17	149	6 5 3					
623	Gym		Houston	77072-5035		9 13	149	4 5 1					
624	Gym		Houston	77072-5035		9 13	149	4 5 3					
625	Gym		Houston	77072-5035		9 13	149	4 5 1					
626	Hallway		Houston	77074-6428		7 13	137	6 5 3					
627	Hallway		Houston	77074-6428		7 13	137	6 5 3					
628	Gymnasium		Houston	77081-4001		7 13	137	6 5 3					
629	Library		Houston	77057-6902		7 13	137	6 5 3					
630	Gym		Houston	77063-5543		9 13	137	6 5 3					
631	Gym		Houston	77063-5543		7 17	137	6 5 3					
632	Gym		Houston	77063-5543		9 17	137	6 5 3					
633						7 17	133	6 5 3					
634	Competition Gym		Houston	77056		7 17	133	6 5 3					
635						7 17	133	6 5 3					
636						7 17	133	6 5 3					
637						7 7	133	6 5 3					
638						7 7	133	6 5 3					
639						7 7	133	6 5 3					
640	Room 109		Cypress	77429-2005		10 7	130	6 4 4					
641						2 15	138	6 5 4					
642						2 15	138	6 5 4					
643						2 15	127	8 4 2					
644	Library		Houston	77018-4150		18 15	139	4 1 4					
645						18 15	139	4 1 1					
646						18 15	148	4 1 1					
647						2 7	126	6 4 4					
648	Gym		Spring	77389-1417		8 4	150	6 4 4					
649						8 4	150	6 4 4					
650	Front Lobby		Houston	77035		9 13	146	4 5 1					
651						18 13	141	4 3 1					

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
652						18	13	142	4	1	1		
653						18	13	142	4	1	1		
654						36	15	128	8	3	2		
655						7	17	133	6	5	3		
656	PE Room		Houston	77031-3123		9	13	131	4	7	1		
657						7	7	138	6	5	3		
658	Clubhouse		Spring	77388-4935		2	7	150	6	4	4		
659	Library		Houston	77090-2332		18	7	150	6	4	4		
660	Kaleo Building		Houston	77068-3299		18	7	150	6	4	4		
661	Fellowship Hall		Houston	77088-1271		18	15	139	4	1	4		
662	Fellowship Hall		Houston	77088-1271		18	15	139	4	1	4		
663	Community Center		Houston	77066-4439		18	15	126	4	4	4		
664						2	4	127	8	4	4		
665	Gym		Deer Park	77536		36	11	128	8	8	2		
666	Gymnasium		La Porte	77571		36	11	128	8	8	2		
667	Garage		Houston	77030-3627		2	17	134	6	1	1		
668						36	11	129	8	8	2		
669	Gym 3		Friendswood	77546-2823		22	11	129	8	2	1		
670						22	6	129	4	2	1		
671						22	11	129	8	2	1		
672						2	7	150	6	4	4		
673						2	7	126	6	4	4		
674	Dance floor		Houston	77070-1321		2	7	126	6	4	4		
675	Clubroom		Houston	77065-2226		10	7	130	6	4	3		
676	Music Room		Cypress	77429-3281		10	7	130	6	4	3		
677	Cafeteria		Spring	77388-3860		2	7	150	6	4	4		
678						2	7	126	6	4	4		
679						8	7	130	6	4	4		
680						8	7	130	6	4	4		
681	Asbury Hall		Houston	77070-1358		8	7	130	6	4	4		
682	Asbury Hall		Houston	77070-1358		2	7	130	6	4	4		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
683	Front hallway		Houston	77072-1104		9 13	9 13	149	6	5	3		
684	Room 146		Houston	77031-2406		9 13	9 13	131	4	7	1		
685						9 13	9 13	146	4	5	3		
686						9 13	9 13	146	4	5	3		
687						9 13	9 13	146	4	5	3		
688						9 13	9 13	131	4	5	3		
689						9 13	9 13	146	4	5	3		
690	Library		Houston	77056		7 17	7 17	133	6	5	3		
691	Main Entry		Houston	77042-2338		7 17	7 17	133	6	5	3		
692	Gym		Houston	77066-3903		2 15	2 15	126	6	4	4		
693	Gym		Houston	77066-3903		18 15	18 15	126	4	4	4		
694						18 15	18 15	140	4	1	1		
695	GYM		Houston	77064-7137		7 7	7 7	135	6	4	4		
696	Cafeteria Room 1		Houston	77064-7904		2 15	2 15	126	6	1	4		
697						18 6	18 6	141	4	3	1		
698						29 6	29 6	141	4	3	1		
699						29 6	29 6	141	4	3	1		
700	Fellowship Center		Houston	77092-1436		18 15	18 15	139	6	1	4		
701	Fellowship Center		Houston	77092-1436		18 15	18 15	139	4	1	4		
702	Massey Tucker Hall ABC		Houston	77042-2999		7 7	7 7	133	6	5	3		
703	Cafeteria		Spring	77388-5255		2 7	2 7	150	6	4	4		
704	Gym		Houston	77007-1408		18 15	18 15	148	6	1	1		
705	Building		Crosby	77532		36 4	36 4	128	8	3	2		
706	Building		Crosby	77532		36 4	36 4	142	8	3	2		
707	Gym		Spring	77389-2981		10 7	10 7	150	6	4	4		
708	Main Club House room		Houston	77077-3036		7 17	7 17	133	6	5	3		
709	Cafeteria		Houston	77092-6655		18 15	18 15	148	4	1	4		
710	Cafeteria		Houston	77092-6655		18 15	18 15	148	4	1	4		
711	Meeting Room		Missouri City	77071-3334		9 13	9 13	131	4	7	1		
712	Meeting Room		Missouri City	77071-3334		9 13	9 13	131	4	7	1		
713	Library		Houston	77036-2315		9 13	9 13	137	6	5	3		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
714	Art Room		Houston	77072-1999		9 13	149	6 5 3					
715						7 17	132	6 5 3					
716						7 17	133	6 5 3					
717	Music Room		Cypress	77433-5246		10 7	132	8 5 3					
718						7 7	135	6 5 4					
719						7 7	138	6 5 4					
720	FORMAL AND INFORMAL ROOM		Houston	77069-3306		2 7	126	6 4 4					
721	Cafeteria		Spring	77379-8199		2 7	150	6 4 4					
722	Cafeteria		Spring	77379-6772		2 7	126	6 4 4					
723	Main Lobby		Houston	77066-2740		2 15	126	6 4 4					
724	Music Room		Houston	77084		7 7	138	6 5 4					
725	Gym		Houston	77065-4366		7 7	135	6 4 4					
726	Meeting Room		Cypress	77429-4799		10 7	130	6 4 3					
727	Stage		Houston	77090-6329		18 15	141	4 4 1					
728						7 7	132	8 5 3					
729						7 7	138	8 5 3					
730	Lott Fellowship Hall		Katy	77450-2705		7 17	132	6 5 3					
731						2 7	138	6 5 4					
732						2 7	138	6 5 4					
733	Cafeteria		Houston	77083-2499		9 17	149	6 5 3					
734	Gym		Houston	77071-1700		9 13	146	4 7 1					
735	Tejano Center for Community Col		Houston	77017-1794		29 6	145	4 2 2					
736	Tejano Center for Community Col		Houston	77017-1794		29 6	145	4 2 2					
737	Gym		Tomball	77375-4461		10 7	130	6 4 4					
738						29 6	143	4 6 2					
739						36 4	128	8 3 2					
740						36 15	128	8 3 2					
741						36 6	128	8 3 2					
742	Kix Building		Pasadena	77505-2012		36 11	128	8 8 2					
743						29 6	147	4 2 1					
744						22 11	129	8 2 1					

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
745						87		150	6	4	4		
746	Gym		Houston	77004-7322		913		134	4	7	1		
747	Gym		Houston	77004-7322		913		134	4	7	1		
748	Gym		Houston	77004-7322		913		134	4	1	1		
749	Gym		Houston	77004-7322		913		134	6	1	1		
750						913		131	4	7	1		
751						913		146	4	7	1		
752	Gym		Houston	77022-4911		296		148	4	1	2		
753	Gym		Houston	77022-4911		296		142	4	1	2		
754	Parents Room		Houston	77026-3203		186		142	4	1	1		
755	Parents Room		Houston	77026-3203		186		148	4	6	1		
756	Parents Room		Houston	77026-3203		186		142	4	1	1		
757	Parents Room		Houston	77026-3203		186		142	4	1	2		
758	Parents Room		Houston	77026-3203		186		142	4	6	1		
759	Parents Room		Houston	77026-3203		186		148	4	6	1		
760	Parents Room		Houston	77026-3203		186		148	4	6	1		
761	Parents Room		Houston	77026-3203		296		142	4	1	1		
762	Parents Room		Houston	77026-3203		296		148	4	6	1		
763						24		127	8	4	4		
764	Auditorium		Katy	77450		1017		132	6	5	3		
765			Houston	77064		27		126	6	4	4		
766	Gym		Houston	77067-1939		1815		139	4	4	4		
767	Gym		Houston	77067-1939		186		139	4	4	4		
768	Gym		Houston	77090-2600		187		150	4	4	4		
769	Cafeteria		Spring	77379-3647		27		126	6	4	4		
770						107		150	6	4	4		
771	Front Foyer		Houston	77084-6509		77		135	6	5	4		
772						913		146	4	7	1		
773						913		146	4	7	1		
774						913		131	4	7	1		
775	Cafeteria		Houston	77099-5018		913		131	4	5	1		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
776	Cafeteria		Houston	77072-3416		9 13	149	6 5 3					
777	Parish Hall		Houston	77082-5100		9 17	149	6 5 3					
778	Cafeteria		Houston	77020-5242		29 6	143	4 6 2					
779	Cafeteria		Houston	77020-5242		29 6	143	4 2 2					
780	Cafeteria		Houston	77020-5242		29 6	143	4 2 1					
781	Council Chambers		La Porte	77571-6275		36 11	128	8 8 2					
782	Meeting Room		Kingwood	77339-3774		2 4	127	8 4 4					
783	Classrooms 204 and 205		Houston	77054-4201		9 13	146	4 7 1					
784						9 13	131	6 5 3					
785	Cafeteria		Houston	77042-5523		9 13	137	6 5 3					
786	Main Hall		Houston	77036-4402		7 13	137	6 5 3					
787	Great Hall		Houston	77062-2247		36 11	129	8 8 2					
788	Multi Purpose Room		Houston	77056-6211		7 17	134	6 5 3					
789	Library		Bellaire	77401-2328		7 17	134	6 1 3					
790						29 6	140	4 1 2					
791	Class Room		Houston	77033		18 13	146	4 7 1					
792	Class Room		Houston	77033		18 13	146	4 7 1					
793						18 15	139	4 1 1					
794						2 15	138	6 1 3					
795						2 15	133	6 1 3					
796	Gym		Houston	77018-1852		18 15	139	4 1 4					
797						29 6	140	4 1 1					
798						18 13	142	4 1 1					
799	Main MultiPurpose Room		Houston	77028-4632		18 13	142	4 3 1					
800	Commons Area		Houston	77078-1401		18 13	141	4 3 1					
801	Gym		Spring	77373-7356		2 7	127	8 4 4					
802						18 7	127	4 4 4					
803	Cafeteria		Spring	77373-6199		2 7	150	8 4 4					
804						7 17	132	8 5 3					
805			Kingwood	77339		2 4	127	8 4 4					
806	Bay 1		Houston	77093-2752		29 6	140	4 1 2					

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
807	Gym		Houston	77066-2924		18 15	18 15	126	6 4 4	6 4 4			
808	Auditorium		Houston	77040-1702		2 15	2 15	139	6 1 4	6 1 4			
809						18 15	18 15	139	4 1 1	4 1 1			
810						18 6	18 6	140	4 1 1	4 1 1			
811	Gym		Spring	77373-6821		18 7	18 7	150	8 4 4	8 4 4			
812						2 15	2 15	126	6 4 4	6 4 4			
813	Orchestra Room	1850	Cypress	77433-3284		10 18	10 18	132	8 5 3	8 5 3			
814						2 15	2 15	127	4 4 4	4 4 4			
815	Cafeteria		Houston	77082-2847		9 17	9 17	149	6 5 3	6 5 3			
816	Cafeteria		Spring	77379-6239		2 7	2 7	126	6 4 4	6 4 4			
817	Fellowship Hall		Katy	77449		10 17	10 17	132	8 5 3	8 5 3			
818						2 4	2 4	128	8 3 2	8 3 2			
819	Staff Room		Channelview	77530-2409		29 6	29 6	143	4 3 1	4 3 1			
820	Auditorium		Houston	77026-1534		18 13	18 13	142	4 1 1	4 1 1			
821	Auditorium		Houston	77026-1534		18 13	18 13	142	4 1 1	4 1 1			
822	Clubhouse		Houston	77040-1525		2 15	2 15	135	6 4 4	6 4 4			
823						2 15	2 15	148	6 1 4	6 1 4			
824						18 15	18 15	148	6 1 4	6 1 4			
825	Main Lobby		Houston	77016-4745		18 13	18 13	141	4 3 1	4 3 1			
826						18 13	18 13	141	4 3 1	4 3 1			
827						2 4	2 4	127	8 4 4	8 4 4			
828						18 15	18 15	139	4 4 4	4 4 4			
829	Gym		Houston	77014-2755		18 15	18 15	126	6 4 4	6 4 4			
830	Gym		Houston	77014-2755		18 15	18 15	139	6 4 4	6 4 4			
831	Gym		Houston	77014-2755		18 15	18 15	139	6 4 4	6 4 4			
832	Gym		Houston	77068-2399		18 7	18 7	126	6 4 4	6 4 4			
833	Fellowship Hall		Houston	77095-1717		7 7	7 7	135	6 5 3	6 5 3			
834	Gym		Katy	77449-4382		7 7	7 7	132	8 5 4	8 5 4			
835	PAC Lobby		Katy	77449-5729		10 17	10 17	132	8 5 3	8 5 3			
836	Meeting Room		Katy	77450-5370		7 17	7 17	149	6 5 3	6 5 3			
837	Hastings North Lobby		Houston	77072-1105		9 13	9 13	137	6 5 3	6 5 3			

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
838	Auxiliary 530		Houston	77084-1520		27	27	138	6	5	4		
839						27	27	126	6	4	4		
840	Fellowship Hall		Houston	77077		7	17	133	6	5	3		
841	Cafeteria		Houston	77099-4298		9	13	131	4	5	1		
842						2	15	139	6	1	4		
843						18	15	139	6	1	4		
844						18	15	139	6	1	4		
845			Houston	77067		18	15	141	4	4	1		
846						9	13	131	4	7	1		
847	Gym		Spring	77388-4610		2	7	150	6	4	4		
848	Gym		Spring	77373-6300		2	7	150	8	4	4		
849	Gym		Spring	77373-6300		18	7	150	8	4	4		
850						2	4	127	8	4	4		
851						2	4	127	8	3	2		
852	Activity Room		Houston	77009-3353		29	6	148	4	1	2		
853						10	18	132	8	5	3		
854	Meeting Room		Cypress	77429-3398		7	7	130	6	4	3		
855	Main Hallway		Houston	77065-3508		10	7	130	6	4	3		
856	Atrium		Houston	77095-2901		7	7	138	6	5	4		
857	Gym		Houston	77084-6431		7	7	138	6	5	4		
858	Gym		Houston	77084-6431		7	7	138	8	5	4		
859						7	17	132	6	5	3		
860						7	17	133	6	5	3		
861			Houston	77083		9	17	149	6	5	3		
862	Cafeteria		Houston	77083-1905		9	17	149	6	5	3		
863	Cafeteria		Klein	77379-4615		2	7	126	6	4	4		
864	Clubhouse		Houston	77084-3204		7	7	138	6	5	3		
865	Atrium		Houston	77095-1149		7	7	135	6	5	3		
866						9	13	131	4	7	1		
867						18	13	141	4	3	1		
868						18	13	141	4	3	1		

Exhibit 10



	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
869						18 15	141	4 4 1					
870						18 15	141	4 4 1					
871						18 15	141	4 4 1					
872						18 15	141	4 4 1					
873						2 4	127	8 4 2					
874						18 15	139	4 4 1					
875						2 15	135	6 4 4					
876	GYM		Pasadena	77505-4242		36 11	128	8 8 2					
877	Computer Room 1203P		Houston	77018-6186		18 15	148	4 1 4					
878	Computer Room 1203P		Houston	77018-6186		18 15	148	4 1 4					
879						29 6	140	4 1 2					
880	Gymnasium		Deer Park	77536-5646		36 11	128	8 8 2					
881	Net		Houston	77095-2612		7 7	135	6 5 3					
882	Big Room		Houston	77070		2 7	126	6 4 4					
883	Big Room		Houston	77070		8 7	126	6 4 4					
884	Family Center		Houston	77069-2299		2 7	126	6 4 4					
885						2 4	127	8 4 4					
886						2 7	135	6 4 4					
887	Cafeteria		Spring	77389-4451		8 7	150	6 4 4					
888						36 11	128	8 8 2					
889						2 4	127	8 4 2					
890						7 7	135	6 5 4					
891						29 6	140	4 1 2					
892	Gym		Houston	77014-3642		18 15	139	4 4 1					
893						36 11	128	8 8 2					
894	Cafeteria		La Porte	77571		36 11	128	8 8 2					
895	Cafeteria		Houston	77070-6417		2 7	126	6 4 4					
896	Cafeteria		Houston	77070-6417		8 7	126	6 4 4					
897	Rehearsal Room 530		Houston	77064-7044		2 7	135	6 4 4					
898	Gym		Cypress	77429		10 7	130	6 4 3					
899						2 15	138	6 5 4					

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
900						2	15	138	6	1	4		
901						10	7	150	6	4	4		
902						8	7	150	6	4	4		
903	Gym		Cypress	77429-1398		10	7	130	6	4	4		
904						36	11	129	8	8	2		
905	Party Room		Houston	77070-5671		2	7	126	6	4	4		
906						36	11	144	8	8	2		
907						36	11	144	8	8	2		
908						18	15	139	4	1	4		
909						18	15	139	4	4	4		
910						18	15	139	4	4	4		
911	Gym		Houston	77062-2548		36	11	129	8	8	2		
912	Youth Center		Huffman	77336-4103		2	4	128	8	3	2		
913	City Hall Side Room		Taylor Lake V	77586-5298		36	11	129	8	8	2		
914						36	11	128	8	8	2		
915						29	15	141	4	4	1		
916						29	15	141	4	4	1		
917						29	15	141	4	4	1		
918	Cafeteria		Houston	77082-2486		9	13	149	6	5	3		
919	Gym		Houston	77095		7	7	135	6	5	3		
920	Fellowship Hall		Houston	77007-5195		2	15	134	6	1	4		
921	Library		Houston	77077-1806		7	17	133	6	5	3		
922	Gym		Katy	77449-6503		7	7	132	8	5	3		
923	Wortham Room		Houston	77065-5610		7	7	130	6	4	3		
924						22	11	129	8	8	2		
925	Cafeteria		LaPorte	77571-2904		36	11	128	8	8	2		
926	Cafeteria		Houston	77067-5214		18	15	139	4	4	4		
927	Gymnasium		Houston	77059-2812		36	11	129	8	8	2		
928	Room 605		Channelview	77530		36	6	143	4	3	2		
929	Big Room		Katy	77449		10	17	132	8	5	3		
930	Gym		Houston	77059-4700		36	11	129	8	8	2		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
931	Gym		Houston	77059-4700		36	11	129	8	8	2		
932						9	13	131	4	7	1		
933	Cafeteria		Houston	77088-1500		18	15	139	4	1	1		
934	Cafeteria		Houston	77088-1500		18	15	139	4	1	1		
935						29	15	143	4	3	2		
936	Salem Lutheran Hilltop		Tomball	77377-3716		10	7	130	6	4	4		
937	Multipurpose Room		Houston	77077-6000		7	17	137	6	5	3		
938						2	17	134	6	5	3		
939						2	17	134	6	5	3		
940	East side of Building		Katy	77449-3419		10	17	132	8	5	3		
941						22	11	129	8	8	2		
942						22	11	129	8	8	2		
943	Trinity Ballrooms 1 and 2		Houston	77032-2306		18	15	141	4	4	1		
944	Trinity Ballrooms 1 and 2		Houston	77032-2306		18	15	141	4	4	1		
945	Fellowship Hall		Baytown	77521-9744		36	15	128	8	3	2		
946	Sanctuary		Baytown	77520-1127		36	6	128	8	3	2		
947	Fellowship Hall and Chapel		Webster	77598-4703		22	11	129	8	2	1		
948	Fellowship Hall and Chapel		Webster	77598-4703		22	11	129	8	2	1		
949	Fellowship Hall and Chapel		Webster	77598-4703		22	11	129	8	2	1		
950	Fellowship Hall and Chapel		Webster	77598-4703		22	11	129	8	2	1		
951	Commons Area		Houston	77062-5794		22	11	129	8	8	2		
952	PAV Room		Houston	77062-5796		36	11	129	8	8	2		
953	Gym		Spring	77373-7535		18	7	127	8	4	4		
954	Small Gym		Houston	77058-4400		36	11	129	8	8	2		
955	Small Gym		Houston	77058-4400		36	11	129	8	8	2		
956						10	17	132	6	5	3		
957						36	11	145	8	8	2		
958	Auditorium		Houston	77035-5382		9	13	131	4	7	1		
959						29	6	145	4	8	2		
960						36	6	145	4	8	2		
961						18	15	127	4	4	4		

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
962						18	15	127	4	4	4		
963	Training Theater		Houston	77014-1308		18	15	139	4	4	1		
964						2	4	127	8	4	4		
965	Art Room		Houston	77064-6304		2	7	135	6	4	4		
966						2	4	127	8	4	4		
967						22	11	129	8	2	1		
968						29	6	145	4	2	2		
969						2	15	127	8	4	2		
970	Cafeteria		Houston	77082-4926		9	17	149	6	5	3		
971						10	7	130	6	4	4		
972	Cafeteria		Houston	77083-5199		9	17	149	6	5	3		
973	Kids Worship Room		Humble	77346-2737		2	15	127	8	4	4		
974	Community Center		Houston	77072-3595		9	13	149	6	5	3		
975	Library		Friendswood	77546-1724		22	11	129	8	2	1		
976						18	13	141	4	3	1		
977						18	13	141	4	3	1		
978						10	17	132	8	5	3		
979						29	6	144	4	2	2		
980	Room 300		Houston	77095-2002		7	7	135	6	5	4		
981	Gym		Houston	77039-3599		29	6	140	4	1	2		
982	Gym		Houston	77039-3599		29	6	140	4	1	2		
983	Gym		Pasadena	77504		36	11	145	8	8	2		
984	Library		Houston	77060-6100		18	6	141	4	4	1		
985	Library		Houston	77060-6100		18	6	141	4	1	1		
986						10	7	132	8	5	3		
987	Main MultiPurpose Room		Houston	77061-1514		9	6	147	4	2	1		
988	Main MultiPurpose Room		Houston	77061-1514		29	6	147	4	2	1		
989	Main MultiPurpose Room		Houston	77061-1514		29	13	147	4	2	1		
990	Main MultiPurpose Room		Houston	77061-1514		29	13	147	4	7	1		
991						7	7	135	6	5	3		
992	Gym		Houston	77095-4441		7	7	135	6	5	3		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
993						7	17	138	6	5	3		
994	Gym		Cypress	77429-2446		10	7	130	6	4	4		
995	Gym		Cypress	77429-2446		10	7	130	6	4	3		
996						10	7	130	6	4	3		
997	Business Center		Houston	77042-4303		9	13	137	6	5	3		
998						10	7	132	8	5	3		
999	Cafeteria		Houston	77082-3900		9	17	149	6	5	3		
1000	Gym		Cypress	77429		10	7	130	6	4	3		
1001	Sanctuary		Houston	77015-4809		29	6	143	4	2	2		
1002			Houston	77070		2	7	126	6	4	4		
1003						29	6	143	4	3	2		
1004	Gym		Cypress	77429-2452		10	7	130	6	4	4		
1005	Foyer, Fellowship Hall		Humble	77396-3851		18	15	141	4	4	1		
1006	Foyer, Fellowship Hall		Humble	77396-3851		29	6	142	4	3	4		
1007						2	15	127	4	4	4		
1008						22	6	145	4	2	1		
1009						29	15	142	4	3	4		
1010						29	15	142	4	3	1		
1011	Music Room 111		Houston	77075-2006		29	6	147	4	2	1		
1012	Music Room 111		Houston	77075-2006		29	6	147	4	2	1		
1013	Meeting Room		Spring	77388		8	7	150	6	4	4		
1014	Gym		Spring	77379-8899		2	7	150	6	4	4		
1015	Multi-purpose Room		Houston	77026-4728		18	13	142	4	6	1		
1016	Multi-purpose Room		Houston	77026-4728		18	13	142	4	6	1		
1017	Gym		Houston	77088-3053		18	15	139	4	1	1		
1018	Gym		Houston	77088-3053		18	15	139	4	1	1		
1019	TEACHERS LOUNGE		Houston	77095-4784		7	7	135	6	5	3		
1020						18	6	140	4	1	4		
1021						18	6	140	4	4	4		
1022	Gym		Houston	77086		18	15	126	4	1	4		
1023	Gym		Houston	77086		18	15	126	4	1	4		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
1024	Gym		Houston	77086		18	15	126	4	1	4		
1025						2	7	150	6	4	4		
1026	Gym		Cypress	77433-2375		7	7	135	8	5	3		
1027	Gym		Spring	77379-6912		2	7	150	6	4	4		
1028	Art Room		Katy	77449-4885		7	7	132	8	5	3		
1029	Gym		Spring	77379-8590		2	7	130	6	4	4		
1030	Room 208		Katy	77449-4842		7	7	135	8	5	4		
1031						7	7	138	6	5	4		
1032	Gym		Houston	77073-1101		18	15	141	4	4	1		
1033						2	15	127	8	4	2		
1034						2	15	142	8	4	4		
1035						2	15	127	8	4	4		
1036						2	15	127	8	4	4		
1037	Gym		Houston	77090-3626		18	15	141	4	4	1		
1038	Front Hallway		Houston	77098-5330		2	15	134	6	1	1		
1039	Front Hallway		Houston	77098-5330		2	15	147	6	1	1		
1040	Front Hallway		Houston	77098-5330		2	15	134	6	1	1		
1041	Gym		Spring	77373-5687		8	7	150	8	4	4		
1042						7	7	135	8	5	4		
1043	Chapel		Katy	77450		7	17	149	6	5	3		
1044	Gym Hallway		Tomball	77377-5868		8	7	130	6	4	4		
1045	Gym		Tomball	77375-6908		8	7	150	6	4	4		
1046	Gym		Tomball	77375-6908		8	7	130	6	4	4		
1047	Art Room		Cypress	77433-3468		10	7	132	8	5	3		
1048						29	6	141	4	1	2		
1049						18	6	141	4	1	2		
1050						29	6	140	4	1	2		
1051						29	15	141	4	4	2		
1052						29	6	141	4	1	2		
1053	LGI 132		The Woodlan	77375-1418		8	4	150	6	4	4		
1054	Gym		Houston	77067-4104		18	6	141	4	4	4		

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
1055	Clubhouse Leasing		Humble	77396-4637		29	15	142	4	4	4		
1056						2	15	127	8	3	1		
1057						2	15	138	6	5	4		
1058						36	15	142	4	3	1		
1059						36	15	142	8	3	1		
1060						36	15	142	4	3	1		
1061						36	15	142	8	3	1		
1062	Clubhouse		Houston	77065		7	7	130	6	4	3		
1063	Library		Tomball	77377-2442		10	7	130	6	4	4		
1064						9	17	131	6	5	3		
1065						9	17	149	6	5	3		
1066						18	7	141	4	4	4		
1067	Cafeteria		Houston	77072-3977		9	13	131	6	5	3		
1068	Cafeteria		Houston	77036-5105		9	13	146	6	5	3		
1069	Cafeteria		Houston	77036-5105		9	13	146	6	5	3		
1070						7	17	138	8	5	3		
1071						7	17	132	8	5	3		
1072						7	7	132	8	5	3		
1073						18	15	140	4	4	4		
1074			Houston		EV	9	13	131	4	7	1		
1075			Houston	77081	EV	7	17	134	6	1	3		
1076			Houston	77014	EV	18	15	139	4	4	1		
1077			Humble	77338	EV	2	15	141	8	4	4		
1078			Houston	77029	EV	18	15	142	4	2	1		
1079	Learning Hub		Houston	77087	EV	29	6	145	4	6	2		
1080			Houston	77054	EV	9	13	146	4	7	1		
1081			Houston	77002	EV	18	13	147	4	1	1		
1082	bulevard		Houston	77008-6320	EV	2	15	134	6	1	4		
1083			Houston	77083	EV	9	17	149	6	5	3		
1084	Fellowship Hall/Sanctuary (fire co		Houston	77089		22	11	129	8	2	1		
1085	Fellowship Hall		Houston	77002		18	13	147	4	1	1		

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
1086			Houston	77033		18	13	146	4	7	1		
1087			Houston	77035		9	13	131	4	7	1		
1088	City Hall Council Chamber		Nassau Bay	77058		36	11	129	8	8	2		
1089	B171 - Center Court West					2	7	150	6	4	2		
1090	The Center		Pasadena	77504		36	11	145	8	8	2		
1091	main ballroom		Houston	77013		18	6	142	4	2	2		
1092	CFC		Huffman	77336		2	4	128	8	3	2		
1093			Houston	77076		29	6	140	4	1	2		
1094	Banquet Halls		Webster	77598		22	11	129	8	8	2		
1095	Community center		Houston	77074		7	13	137	6	5	3		
1096						29	6	147	4	2	1		
1097	Conference Room		Houston	77002	EV	18	13	145	4	1	1		
1098	Elliot Room		Spring	77379-7705	EV	2	7	126	6	4	4		
1099	Room 107		Houston	77070	EV	2	7	126	6	4	4		
1100	Meeting Room		Humble	77346	EV	2	4	127	8	4	2		
1101	Fellowship Hall		Humble	77346-2249	EV	2	4	127	8	4	2		
1102	Journey Room		Humble	77396	EV	2	15	127	8	4	2		
1103	Large Worship Area		Houston	77038	EV	18	7	127	8	4	4		
1104	Auditorium		Kingwood	77345-1350	EV	2	4	127	8	4	4		
1105	Senior Center		La Porte	77571	EV	36	11	128	8	8	2		
1106	Assembly Room		Highlands	77562	EV	36	15	128	8	3	2		
1107	Large Assembly Room		Crosby	77532	EV	36	4	128	8	3	2		
1108	Big Room		Pasadena	77505	EV	36	11	128	8	8	2		
1109	Meeting Room		Houston	77062	EV	36	11	129	8	8	2		
1110	Auditorium		Houston	77089	EV	22	11	129	8	2	1		
1111	Large Meeting Room		Houston	77089-1042	EV	29	6	131	4	2	1		
1112	Large Meeting Room		Houston	77089-1042	EV	22	6	131	4	2	1		
1113	Large Meeting Room		Houston	77089-1042	EV	29	6	131	4	2	1		
1114	Community Hall		Houston	77058	EV	36	11	129	8	8	2		
1115			Webster	77598	EV	22	11	129	8	8	2		
1116	Room D-110		Houston	77089	EV	22	6	129	8	2	1		

Exhibit 10



	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
1117	Room D-110		Houston	77089	EV	22 6	22 6	129	8 2 1	8 2 1			
1118	Garden Room		Houston	77058	EV	36 11	36 11	129	8 8 2	8 8 2			
1119						22 11	22 11	129	8 2 1	8 2 1			
1120	Dance Hall		Cypress	77429-7321	EV	10 7	10 7	130	6 4 3	6 4 3			
1121	Gym	Gym	Cypress	77429	EV	10 7	10 7	130	6 4 3	6 4 3			
1122	Training Room		Tomball	77375	EV	10 7	10 7	130	6 4 4	6 4 4			
1123	Auditorium		Houston	77045-6402	EV	9 13	9 13	131	4 7 1	4 7 1			
1124						9 17	9 17	131	4 5 1	4 5 1			
1125	Great Room		Houston		EV	9 13	9 13	131	4 7 1	4 7 1			
1126	Green Room		Houston	77045-2020	EV	9 13	9 13	131	4 7 1	4 7 1			
1127	Ballroom		Houston	77031	EV	9 13	9 13	131	4 7 1	4 7 1			
1128	Sandpiper Room and Crane (room		Cypress	77433	EV	10 18	10 18	132	8 5 3	8 5 3			
1129	Performing Arts (Performing Arts		Katy	77449	EV	10 18	10 18	132	8 5 3	8 5 3			
1130	Auditorium Lobby		Katy	77450-2705	EV	10 17	10 17	132	6 5 3	6 5 3			
1131	Meeting Room		Katy	77493-1717	EV	10 18	10 18	132	8 5 3	8 5 3			
1132	CY 106 and 107		Katy	77449	EV	7 7	7 7	132	8 5 3	8 5 3			
1133	Room 105 106 107		Katy	77449	EV	7 7	7 7	135	8 5 3	8 5 3			
1134						10 7	10 7	132	8 5 3	8 5 3			
1135	Meeting Room		Houston	77079	EV	7 17	7 17	133	6 5 3	6 5 3			
1136						7 17	7 17	133	6 5 3	6 5 3			
1137	Annex		Houston	77057	EV	7 17	7 17	133	6 5 3	6 5 3			
1138						7 17	7 17	133	6 5 3	6 5 3			
1139	Assembly Room		Houston	3098	EV	7 7	7 7	133	6 5 3	6 5 3			
1140	Laurel Ballroom		Houston	77024-2001	EV	2 17	2 17	134	6 5 3	6 5 3			
1141	Uptown Room		Houston	77027-3419	EV	7 17	7 17	134	6 1 4	6 1 4			
1142	Uptown Room		Houston	77027-3419	EV	7 17	7 17	134	6 1 4	6 1 4			
1143	Bayou City Ballroom		Houston	77007	EV	2 15	2 15	134	6 1 4	6 1 4			
1144	MMSL AR 2 3 (gym)		Houston	77019-4926	EV	2 15	2 15	134	6 1 1	6 1 1			
1145			Houston		EV			13	134 6 1	134 6 1			
1146	Auditorium		Houston	77081	EV	7 17	7 17	134	6 1 3	6 1 3			
1147	Civic Center in Municipal Meeting		Houston	77040-2029	EV	7 7	7 7	135	6 4 4	6 4 4			

Exhibit 10

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
1148	Room 300		Cypress	77433-5135	EV	7 7	7 7	135	8 5	3			
1149	Auditorium		Houston	77074	EV	7 13	7 13	137	6 5	3			
1150	Meeting Room		Houston	77042-3340	EV	9	13	137	6 5	3			
1151	Auditorium		Houston	77042	EV	9 13	9 13	137	6 5	3			
1152	Community Center		Houston	77084	EV	7	7	138	6 5	4			
1153	Education Building Classroom 11		Houston	77080	EV	2	15	138	6 5	3			
1154	Meeting Room		Houston	77084	EV	7 7	7 7	138	6 5	3			
1155	Auditorium		Houston	77055-4917	EV	2 15	2 15	138	6 1	3			
1156	Room 106		Houston	77055-4917	EV	7 17	7 17	133	6 5	3			
1157	Room 106		Houston	77055-4917	EV	2 17	2 17	138	6 5	3			
1158	Gym		Houston	77043	EV	2	7	138	6 5	3			
1159	Auditorium		Houston	77091	EV	18 15	18 15	139	4 1	1			
1160	Brooks Sports Gym		Houston	77014	EV	18 15	18 15	139	4 4	1			
1161	Room 102		Houston	77088	EV	18 15	18 15	139	4 1	1			
1162	Auditorium		Houston	77076-1220	EV	29 6	29 6	140	4 1	1			
1163	Auditorium		Houston	77076-1220	EV	29 6	29 6	140	4 1	2			
1164	Ballroom		Houston	77039	EV	29 6	29 6	140	4 1	2			
1165	Hall B		Houston	77093	EV	29	6	140	4 3	2			
1166	Hall A		Houston	77093-4902	EV	29 6	29 6	140	4 1	1			
1167	Hall A		Houston	77093-4902	EV	18 6	18 6	140	4 3	2			
1168	Kaleo Building				EV	18 15	18 15	141	4 4	1			
1169	Auditorium		Houston	77016	EV	18 13	18 13	141	4 3	1			
1170	Church		Houston	77067	EV	18	6	141	4 4	4			
1171	Trinity Ballroom 1 and 2		Houston		EV	18	15	141	4 4	1			
1172	YMCA Building		Houston	77073	EV	18	15	141	4 4	1			
1173			Houston	77016	EV	18	13	141	4 3	1			
1174	Meeting Rooms 1 - 4		Humble	77338	EV	2	15	141	8 4	4			
1175	Meeting Rooms 1 - 4		Humble	77338	EV	2 15	2 15	127	8 4	2			
1176	Big Gym		Houston	77044	EV	29	6	142	4 3	1			
1177	The Hall		Houston	77026-1411	EV	18 6	18 6	142	4 1	1			
1178	Community Room		Houston	77029	EV	18	15	142	4 2	1			

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
1179	Auditorium		Houston	77026-2941	EV	18	13	142	4	1	1		
1180	Auditorium		Houston	77026-2941	EV	18	6	142	4	2	1		
1181	Auditorium		Houston	77026-2941	EV	18	13	142	4	1	1		
1182	Multipurpose Room		Houston	77026	EV	18	13	142	4	6	1		
1183	Meeting Room		Houston	77049-4607	EV	29	15	142	4	3	1		
1184	Large Assembly Room		Channelview	77530	EV	36	6	143	8	3	2		
1185	Conference Room		Galena Park	77547	EV	29	6	143	4	2	2		
1186	Conference Room		Galena Park	77547	EV	29	6	143	4	2	2		
1187	Conference Room		Galena Park	77547	EV	18	6	143	4	2	2		
1188	Gym		Houston	77011-1036	EV	29	6	143	4	6	2		
1189	Gym		Baytown	77520	EV	36	6	144	8	3	2		
1190	Training Room		Pasadena	77506	EV	29	6	144	4	2	2		
1191	Learning Hub		Houston	77087	EV	29	6	145	4	6	2		
1192	Meeting Room		Houston	77054	EV	9	13	146	4	7	1		
1193	Arena	Hall D	Houston	77054	EV	9	13	146	4	7	1		
1194	Auditorium 189		Houston	77051	EV	9	13	146	4	7	1		
1195	Gym		Houston	77033	EV	18	13	146	4	7	1		
1196	Royal Oaks Ballroom		Houston	77054-1705	EV	9	13	146	4	7	1		
1197	Multipurpose Room		Houston	77075	EV	29	6	147	4	2	1		
1198	VIP A and B		Houston	77002	EV	18	13	147	4	1	1		
1199	Auditorium		Houston	77007	EV	2	15	147	6	1	1		
1200	Gymnasium		Houston	77004-2604	EV	18	13	147	4	7	1		
1201			Houston	77006	EV	2	15	147	6	1	1		
1202			Houston	77004	EV	18	13	147	4	7	1		
1203			Houston	77004	EV	18	13	147	4	7	1		
1204	Meeting Room		Houston	77021	EV	18	13	147	4	7	1		
1205			Houston	77021	EV	18	13	147	4	7	1		
1206	Grand Ballroom		Houston	77092-8810	EV	18	15	148	6	1	4		
1207	Grand Ballroom		Houston	77092-8810	EV	2	15	148	4	1	4		
1208	Gym		Houston	77022	EV	29	6	148	4	1	2		
1209	The Plaza		Houston	77040	EV	18	15	148	6	1	4		

	M	O	P	Q	R	S	T	U	V	W	X	Y	Z
1210	Gym		Houston	77009	EV	29	6	148	6	1	2		
1211	Annex in back of main building		Houston	77008-3441	EV	2	15	148	6	1	4		
1212	Activities Building		Houston	77008-6320	EV	2	15	134	6	1	4		
1213	Room 157		Houston	77083	EV	9	17	149	6	5	3		
1214	Basketball Court	Prayer Room	Houston	77083	EV	9	13	149	6	5	3		
1215						9	17	149	6	5	3		
1216						8	7	150	8	4	4		
1217	Room 402		Spring	77379-2204	EV	8	7	150	6	4	4		
1218	Room 116		Tomball	77375	EV	8	4	150	6	4	4		
1219	Main Sanctuary		Spring	77388	EV	2	7	150	6	4	4		
1220	Fellowship Hall		Houston	77090	EV	18	15	141	4	4	1		
1221													

Exhibit 10



# CHRIS HOLLINS

## COUNTY CLERK

*Recording the Major Events of Your Life*

September 25, 2020

Honorable Judge and Commissioners Court  
1001 Preston, 9th Floor  
Houston, Texas 77002

	YES	NO	ABSTAIN
Judge Lina Hidalgo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Steve Radack	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comm. R. Jack Cagle	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**RE: CTCL COVID-19 Response Grant**

Dear Members of the Court:

The County Clerk’s Office requests authorization to accept a grant in the amount of \$9,663,446.00 from the Center for Tech and Civic Life. The grant funds must be used exclusively for the public purpose of planning and operating a safe and secure November 3<sup>rd</sup> election in Harris County as detailed by the Safe Voting Plan submitted by our office.

Our office will be working closely with the Grants section of the Budget Management Department. If you have any questions, please contact Michael Winn, Administrator of Elections at 713-274-9626.

Sincerely,

Chris Hollins  
County Clerk, Harris County, Texas

CH/th

Attachments

**Presented to Commissioners Court**

**September 29, 2020**

**Approve: E/G**

**Exhibit 11**



CENTER FOR  
TECH AND  
CIVIC LIFE

September 25, 2020

Harris County, Texas County  
County Judge/Commissioners Court  
1001 Preston Suite 500  
Houston, TX 77002

Dear Lina Hidalgo,

I am pleased to inform you that based on and in reliance upon the information and materials provided by Harris County, and the special circumstances Harris County faces administering elections in 2020, the Center for Tech and Civic Life (“CTCL”), a nonprofit organization tax-exempt under Internal Revenue Code (“IRC”) section 501(c)(3), has decided to award a grant to support the work of Harris County (“Grantee”).

The following is a description of the grant:

**AMOUNT OF GRANT:** \$ 9,663,446.00 USD

**PURPOSE:** The grant funds must be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Harris County in 2020 (“Purpose”).

Before CTCL transmits these funds to Grantee, CTCL requires that Grantee review and sign this agreement (“Grant Agreement”) and agree to use the grant funds in compliance with the Grant Agreement and with United States tax laws and the laws and regulations of your state and jurisdiction (“Applicable Laws”). Specifically, by signing this letter Grantee certifies and agrees to the following:

1. Grantee is a local government unit or political subdivision within the meaning of IRC section 170(c)(1).
2. This grant shall be used only for the Purpose described above, and for no other purposes.

**Exhibit 11**

3. Due to special circumstances Grantee faces administering elections in 2020, Grantee has produced a plan for safe and secure election administration in 2020, including an assessment of election administration needs and budget estimates for such assessment (“Safe Voting Plan”). The Safe Voting Plan is attached to this agreement. Grantee shall expend the total amount of grant funds listed in the Safe Voting Plan as detailed in the Safe Voting Plan, but may reallocate funds between budget items listed in the Safe Voting Plan or to any other permissible public purpose listed in the online grant application with notice by electronic mail to CTCL. Such reallocation does not require the permission of CTCL.
4. Grantee shall not use any part of this grant to make a grant to another organization, except in the case where the organization is a local government unit or political subdivision within the meaning of IRC section 170(c)(1) or a nonprofit organization tax-exempt under IRC section 501(c)(3), and the subgrant is intended to accomplish the Purpose of this grant. Grantee shall take reasonable steps to ensure that any such subgrant is used in a manner consistent with the terms and conditions of this Grant Agreement, including requiring that subgrantee agrees in writing to comply with the terms and conditions of this Grant Agreement.
5. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs may be applied to the grant. The Grantee shall expend the amount of this grant for the Purpose by December 31, 2020.
6. Grantee is authorized to receive this grant from CTCL and certifies that (a) the receipt of these grant funds does not violate any Applicable Laws, and (b) Grantee has taken all required, reasonable and necessary steps to receive, accept and expend the grant in accordance with the Purpose and Applicable Law.
7. The Grantee shall produce a brief report explaining and documenting how grant funds have been expended in support of the activities described in paragraph 3. This report shall be sent to CTCL no later than January 31, 2021 in a format approved by CTCL and shall include with the report a signed certification by Grantee that it has complied with all terms and conditions of this Grant Agreement.
8. This grant may not supplant previously appropriated funds. The Grantee shall not reduce the budget of the County Judge/Commissioners Court (“the Election Department”) or fail to appropriate or provide previously budgeted funds to the Election Department for the term of this grant. Any amount supplanted, reduced or not provided in contravention of this paragraph shall be repaid to CTCL up to the total amount of this grant.
9. CTCL may discontinue, modify, withhold part of, or ask for the return all or part of the grant funds if it determines, in its sole judgment, that (a) any of the above terms and conditions of this grant have not been met, or (b) CTCL is required to do so to comply with applicable laws or regulations.



10. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs for the Purpose may be applied to the grant.


Your acceptance of and agreement to these terms and conditions and this Grant Agreement is indicated by your signature below on behalf of Grantee. Please have an authorized representative of Grantee sign below, and return a scanned copy of this letter to us by email at [grants@techandcivicliflife.org](mailto:grants@techandcivicliflife.org).

On behalf of CTCL, I extend my best wishes in your work.

Sincerely,

  
Tiana Epps Johnson  
Executive Director  
Center for Tech and Civic Life

GRANTEE

By:  \_\_\_\_\_

Title: County Judge Lina Hidalgo

Date: September 29, 2020



CENTER FOR TECH & CIVIC LIFE  
233 N. MICHIGAN AVE., SUITE 1800  
CHICAGO, IL 60601  
[HELLO@TECHANDCIVICLIFE.ORG](mailto:HELLO@TECHANDCIVICLIFE.ORG)

PAGE 3

**Exhibit 11**



**To: Center for Technology and Civic Life**  
**From: Michael Winn**  
**Date: September 24, 2020**  
**Re: Harris Safe Voting Plan**

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**Overview**

Harris County faces significant challenges in executing the November 3, 2020 general election. Specifically, the global COVID-19 pandemic, an expected substantial increase in voter turnout, and the need to ensure voting is safe, secure, accessible, fair, and efficient culminate in the need for additional services not provided in past elections.

For the general election, the number of **total registered voters is expected to be approximately 2.4 million**, with voters casting ballots split between mail ballots and in-person voting. This document offers an assessment of resources needed for Harris County to safely and thoroughly prepare for the general election.

A preliminary budget overview estimate on top of what is already typically available to the County is as follows:

Drive-Thru Voting Locations	\$795,564
In-person Ballot Drop-off Locations	\$64,260
Voter communications	\$343,000
Provision of specialist services	\$245,000
Mail ballot equipment	\$510,500
Disability accessible tables	\$100,000
Election workers (in excess of a typical election)	\$4,083,826
PPE for election workers and voters	\$2,527,256
Specialists to assist at polling locations	\$994,040
<b>Total</b>	<b>\$9,663,446</b>

**Needs Assessment & Costs**

The following sections outline initial details of the operation and costs associated with each of the aforementioned categories.

---

**Drive-Thru Voting Locations**

For the November elections, we plan to utilize 10 drive-thru voting locations throughout the county. Drive-thru voting allows voters to vote from the safety and comfort of their vehicle. We had success in using drive-thru voting during the July 2020 Primary election and plan to expand the program for the November 2020 election. To that end, we need \$795,564 to cover the cost of materials needed, including structures, to adequately set up the drive-thru voting locations, providing for protection of voters, voter equipment, and staff.

---

### **In-person Ballot Drop Off Locations**

Harris County plans to have 12 locations throughout the county at which voters may hand deliver their mail ballots.

These must be sufficiently staffed with 2 staff members at each location from September 21-November 3. It will cost \$64,260 to pay for staffing at each of these locations.

---

### **Voter communications**

Due to COVID-19, it is imperative that we provide enhanced information to voters that emphasizes the safety of mail ballot voting and the importance of voting early when voting in person. To enhance this messaging, we will need to spend an additional \$343,000.

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### **Provision of Specialist services**

Operational consultants to assist in planning and executing multi-layered operational plans. Cost: \$245,000.

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### **Mail ballot equipment**

Need for additional sorters, scanners, and imaging devices for vote by mail applications and ballots, at a cost of \$510,500.

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### **Disability accessible tables**

Need for tables that are accessible that can hold our Disability Accessible Units (voting equipment) at a cost of \$100,000.

---

### **In-person Voting at Polling Places during Early Voting and Election Day**

Harris County is committed to working to secure 122 fully staffed polling places during early voting and over 800 on Election Day.

In order to staff these locations, the county will hire, in addition to hiring for the typical number of polling locations (57 for Early Voting and 700 on Election Day) which is not included here, 1 Presiding Judge, 1 Alternate Judge, and an average of 9.5 election clerks for each polling location.

	<u>Total cost</u>	<u>Units</u>	<u>Unit costs</u>
<b>Early Voting PJ</b>	\$381,980	71	\$5,380
<b>Early Voting AJ</b>	\$320,423	71	\$4,513
<b>Early Voting Clerks</b>	\$3,004,223	675	\$4,450
<b>Election Day PJ</b>	\$50,000	100	\$5,000
<b>Election Day AJ</b>	\$36,500	100	\$3,650
<b>Election Day Clerks</b>	<b>\$290,700</b>	950	\$306
<b>Total</b>	<b>\$4,083,826</b>		

---

**PPE for election workers and voters**

Providing PPE, including KN95 masks, finger gloves, face shields, hand sanitizer, is imperative for safe voting in person in November. To cover all the PPE costs, we'll need \$2,527,256.

---

**Specialists to assist at polling locations**

Extensively trained specialists to assist in all functions at a polling location at a cost of \$310,840.

**Conclusion**

The investments outlined above will allow Harris County to reduce the risk of exposure to coronavirus for voters, election staff and poll workers; identify best practices; innovate to efficiently and effectively educate our residents about how to exercise their right to vote; be intentional and strategic in reaching our historically disenfranchised residents and communities; and, above all, ensure the right to vote in a diversity of communities throughout the county. Thank you for the opportunity to submit this request.

**ORDER**

STATE OF TEXAS

COUNTY OF HARRIS

On this, the 29th day of September, 2020, the Commissioners' Court of Harris County, Texas, sitting as the governing body of Harris County, upon motion of Commissioner Ellis, seconded by Commissioner A. Garcia, duly put and carried,

IT IS ORDERED that County Judge Lina Hidalgo or her designee be hereby authorized to approve, and on behalf of Harris County, Texas, to accept, a grant from the Center for Tech and Civic Life, and to sign ancillary grant documents:

**CTCL COVID-19 Response Grant**

Award: \$9,663,446.00  
Period of Grant: 06/15/2020 – 12/31/2020

	YES	NO	ABSTAIN
Judge Lina Hidalgo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Steve Radack	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comm. R. Jack Cagle	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Presented to Commissioners Court

September 29, 2020

Approve: **E/G**

## November 3, 2020 General and Special Elections

Location	SRD	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
		Oct. 13	Oct. 14	Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19	Oct. 20	Oct. 21
County Attorney Conference Center	SRD001C	950	664	524	374	139	86	221	247	204
HCPL Barbara Bush Branch	SRD126C	1,022	992	1,084	1,107	901	446	1,053	1,095	987
Fairfield Inn and Suites Houston NW Willowbrook	SRD126F	980	982	868	1,023	501	308	548	555	457
Lakewood Residents Club	SRD126L	1,160	1,169	1,150	1,284	805	495	1,011	945	816
ISGH Champions Community Center	SRD126M	1,207	1,391	1,337	1,354	775	437	847	813	726
Prairie View A&M University Northwest	SRD126P	966	968	1,015	1,059	1,006	504	1,131	1,071	1,007
Lake Houston Church of Christ	SRD127H	2,293	2,283	2,129	2,169	1,118	546	1,433	1,274	1,057
Victory Houston	SRD127V	438	448	315	307	244	114	251	255	189
Kingwood Community Center	SRD127Y	1,619	1,782	1,895	2,002	1,763	1,010	1,873	1,843	1,773
Coady Baptist Church	SRD128B	768	742	626	678	359	205	436	453	355
La Porte Recreation and Fitness Center	SRD128F	1,256	1,150	1,007	1,016	536	321	698	575	485
San Jacinto Community Center	SRD128J	503	366	343	284	152	67	187	145	118
East Harris County Activity Center	SRD128P	1,890	1,939	1,961	2,028	1,112	570	1,474	1,397	1,114
Crosby Community Center	SRD128Z	1,139	1,164	1,078	1,040	518	318	853	763	554
El Franco Lee Community Center	SRD129E	1,075	1,039	868	846	463	288	554	514	454
Clear Lake Islamic Center	SRD129I	1,254	1,114	904	884	379	189	503	496	440
MultiCultural Center	SRD129M	411	280	268	256	120	86	146	102	108
Pipers Meadow Community Center	SRD129P	761	589	474	508	180	134	278	307	212
Harris County Scarsdale Annex	SRD129S	1,237	1,216	1,171	1,225	835	391	972	892	768
University of Houston Clear Lake	SRD129U	1,534	1,115	1,227	1,357	690	394	871	764	674
Webster Civic Center	SRD129W	858	672	602	591	289	155	388	349	313
Forest Bend Homeowners Association Inc	SRD129X	766	707	673	631	296	158	442	351	352
Juergens Hall Community Center	SRD130C	1,304	1,417	1,356	1,477	1,396	766	1,367	1,354	1,265
Hockley Community Center	SRD130H	800	857	919	930	421	220	540	579	434
Saint John Lutheran Church and School	SRD130S	1,569	1,454	1,450	1,498	1,132	595	1,235	1,247	1,126
Tomball Public Works Building	SRD130T	1,258	1,274	1,245	1,251	798	390	1,055	916	843
Hiram Clarke Multi Service Center	SRD131	1,376	1,081	907	768	580	278	600	439	481
Alief Regional Library	SRD131I	751	716	694	722	735	387	725	711	691
Kingdom Builders Center	SRD131K	365	122	118	365	85	42	94	53	40
The Power Center	SRD131P	1,052	760	583	650	371	173	395	359	342
Raindrop Turkish House	SRD131R	1,036	809	714	602	449	218	505	431	420
Lakeland Activity Center	SRD132A	978	1,250	1,128	1,195	780	441	869	791	684
James E Taylor High School	SRD132J	1,400	1,554	1,336	1,412	833	414	819	794	692
Katy Branch Harris County Public Library	SRD132K	758	793	881	877	791	379	819	796	747
Lone Star College Cypress Center	SRD132L	1,225	1,285	1,240	1,311	994	504	1,152	1,025	890

DAILY RECORD OF EARLY VOTING UNOFFICIAL TOTALS  
November 3, 2020 General and Special Elections

Location	SRD	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
		Oct. 13	Oct. 14	Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19	Oct. 20	Oct. 21
Harris County MUD 81 Building	SRD132M	995	1,030	1,062	1,084	479	269	707	680	627
John Paul Landing Environmental Education Center	SRD132P	688	681	688	814	318	184	305	284	251
Morton Ranch High School	SRD132S	1,527	1,404	1,336	1,280	813	467	771	763	607
Nottingham Park Building	SRD133	1,292	1,255	1,153	1,221	1,036	539	1,166	1,087	1,003
Masjid El Farooq	SRD133C	512	525	511	540	241	120	273	258	215
Unity of Houston Annex	SRD133U	879	784	678	750	369	216	487	460	486
First Congregational Church	SRD133Z	1,017	1,145	1,033	904	533	293	776	791	705
Crowne Plaza Houston Galleria	SRD134C	835	795	651	588	212	124	294	347	231
Hampton Inn Galleria	SRD134G	982	990	963	1,044	543	331	809	724	689
Hampton Inn and Suites	SRD134I	918	752	586	647	282	165	411	344	349
Metropolitan MultiService Center	SRD134M	2,356	2,238	2,315	2,290	1,347	638	1,679	1,525	1,418
Rice University	SRD134R	960	968	1,054	1,117	754	456	785	827	768
John P McGovern Texas Medical Center Commons	SRD134T	1,638	1,487	1,219	984	426	296	575	533	429
HCC West Loop South	SRD134W	1,511	1,415	1,207	1,334	523	288	705	620	510
City Jersey Village Municipal Government Center	SRD135	2,226	2,039	1,925	1,973	1,239	651	1,540	1,484	1,277
Richard and Meg Weekley Community Center	SRD135W	1,964	2,051	2,074	2,200	1,817	904	2,007	1,894	1,664
Bayland Park Community Center	SRD137B	1,610	1,538	1,468	1,444	913	428	1,026	1,063	977
Houston Community College Alief Hayes Campus	SRD137C	918	856	865	891	594	337	676	638	588
Tracy Gee Community Center	SRD137T	1,669	1,421	1,243	1,215	653	344	785	857	687
ISGH Bear Creek Community Center	SRD138I	1,371	1,232	1,209	1,401	744	441	721	731	635
John Knox Presbyterian Church	SRD138J	923	843	796	821	494	217	593	564	558
Katherine Tyra Branch Library	SRD138K	881	879	819	862	766	391	767	710	696
Trini Mendenhall Community Center	SRD138S	1,964	1,974	1,770	1,790	1,003	493	1,317	1,183	1,102
Encourager Church	SRD138Z	1,060	1,170	1,154	1,291	537	246	735	767	637
Acres Homes Multi Service Center	SRD139A	1,923	1,342	1,055	889	617	299	661	512	491
Fallbrook Church	SRD139F	1,422	986	603	787	305	148	465	304	275
New Destiny Praise and Worship Center	SRD139N	653	616	491	437	285	127	303	318	239
Lone Star College Victory Center	SRD139V	1,011	843	773	797	654	331	600	519	416
Hardy Street Senior Citizens Center	SRD140	872	584	451	410	266	130	303	257	266
BakerRipley East Aldine Campus	SRD140B	471	336	271	250	153	85	238	189	166
Anclamars W Reception Hall A	SRD140X	636	329	217	169	117	42	112	140	104
Church of Christ on Bammel Road	SRD141B	942	941	857	810	285	145	427	395	289
Northeast Multi Service Center	SRD141C	871	802	633	428	335	166	385	271	266
Green House International Church	SRD141G	558	415	338	229	185	86	220	199	157
Holiday Inn Houston Intercontinental Airport Hotel	SRD141I	842	762	640	500	226	119	282	248	221

## November 3, 2020 General and Special Elections

Location	SRD	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
		Oct. 13	Oct. 14	Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19	Oct. 20	Oct. 21
Lone Star College North Harris	SRD141L	724	628	501	484	337	204	398	383	365
HCC North Forest Campus	SRD141N	792	652	530	351	263	163	281	273	238
Humble Civic Center	SRD141U	1,312	1,239	1,353	1,147	1,081	550	1,221	1,042	1,019
C E King Middle School	SRD142C	868	699	520	558	327	145	329	302	270
Houston Food Bank	SRD142H	186	93	81	147	33	18	67	27	70
Kashmere MultiService Center	SRD142K	1,036	886	665	459	346	199	427	320	270
North Channel Branch Library	SRD142W	663	663	661	697	623	298	678	583	550
Martin Flukinger Community Center	SRD142Z	805	631	442	410	176	70	193	170	137
Alvin D Baggett Community Center	SRD143A	668	405	308	288	178	80	158	131	116
Milton Lusk Activity Center	SRD143C	394	303	249	228	146	84	152	145	126
Neighborhood Centers Inc Ripley House Campus	SRD143R	1,160	813	682	701	407	172	469	411	424
Harris County Cultural Arts Center	SRD143T	1,164	924	678	541	291	124	399	288	237
Lee College	SRD144	1,337	1,099	1,024	1,008	557	295	673	544	494
John Phelps Courthouse	SRD144J	744	498	414	306	128	77	209	144	176
Iglesia Una Luz en Tu Camino	SRD144U	189	151	105	137	86	32	93	93	97
HCC Southeast College Building C Parking Garage	SRD145C	1,313	830	679	743	559	284	541	474	426
Baker Ripley Cleveland Ripley Neighborhood Center	SRD145R	1,173	983	840	878	462	257	541	568	455
Saint Philip Neri Catholic Church	SRD146C	798	556	535	392	307	88	296	218	231
NRG Arena	SRD146N	830	558	405	429	322	137	383	251	197
Sunnyside Multi Service Center	SRD146S	1,266	1,222	957	748	574	246	668	504	487
J J Roberson Family Life Center	SRD146Y	743	364	241	168	108	55	126	100	81
Toyota Center	SRD147C	550	351	334	193	222	101	126	155	115
West End Multi Service Center	SRD147E	1,413	1,305	994	1,105	415	233	550	609	448
Marriott Houston South at Hobby Airport	SRD147M	514	373	310	254	174	81	182	211	163
Wheeler Avenue Baptist Church	SRD147S	1,299	529	357	317	160	83	202	170	168
Texas Southern University- West Side Parking Garage	SRD147T	797	459	295	280	174	68	172	167	147
University of Houston Student Center South	SRD147U	685	512	439	392	175	73	250	239	211
Shrine of The Black Madonna Cultural & Event Center	SRD147Z	1,027	572	449	363	192	77	219	215	182
Sheraton Houston Brookhollow Hotel	SRD148B	954	844	680	747	259	119	355	366	344
Clark Park Community Center	SRD148C	309	236	185	183	157	65	145	122	139
The Grand Tuscany Hotel	SRD148H	1,050	803	746	716	374	224	436	465	357
Moody Park Community Center	SRD148M	974	1,027	828	801	431	204	504	482	475
SPJST Lodge Num 88	SRD148S	1,506	1,546	1,454	1,612	574	326	933	856	790
Resurrection Metropolitan Community Church	SRD148Z	1,165	936	593	839	279	117	421	255	287
Houston Community College Alief Center	SRD149H	758	630	525	601	360	176	515	383	343

NOVEMBER 3, 2020 GENERAL AND SPECIAL ELECTIONS

Location	SRD	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
		Oct. 13	Oct. 14	Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19	Oct. 20	Oct. 21
Mission Bend Islamic Center	SRD149X	666	593	532	500	351	220	386	333	280
Big Stone Lodge	SRD150B	865	839	870	782	509	299	558	509	501
Klein Multipurpose Center	SRD150K	1,001	1,043	1,036	1,184	1,055	640	1,196	1,157	1,083
Lone Star College Creekside	SRD150L	1,348	1,269	1,260	1,381	718	409	996	933	781
Samuel Matthews Park Community Center	SRD150M	584	646	618	663	218	115	343	269	223
Spring First Church	SRD150S	1,786	1,620	1,482	1,781	950	504	1,140	1,118	995
Hosanna Lutheran Church	SRD150X	813	729	537	489	250	110	303	308	273
Kingdom Builders Center	DTV131K	820	636	572	0	395	185	257	283	264
HCC West Loop South	DTV134W	1,292	1,419	1,449	1,609	1,078	621	955	1,108	1,032
Fallbrook Church	DTV139F	1,381	1,501	1,479	1,085	1,360	650	1,051	1,056	851
Humble Civic Center	DTV141U	1,511	1,821	1,774	1,804	1,161	661	1,048	951	798
Houston Food Bank	DTV142H	376	319	251	88	169	79	98	101	88
John Phelps Courthouse	DTV145C	650	607	537	638	420	191	438	406	303
NRG Arena	DTV146N	1,900	1,778	1,705	1,673	1,195	584	843	1,019	866
Toyota Center	DTV147C	1,127	1,125	901	1,118	629	307	687	626	506
Resurrection Metropolitan Community Church	DTV148Z	823	806	883	935	583	317	475	543	521
Houston Community College Alief Center	DTV149H	1,117	961	980	603	824	532	490	750	563
<b>Early In Person Voters:</b>		128,082	115,604	105,123	104,828	65,732	34,494	74,827	70,323	62,380
<b>Mail Ballots Returned:</b>		41,337	3,012	6,260	7,839	8,807	8,249	17,106	12,216	10,097
<b>Total Early Voters:</b>		169,419	118,616	111,383	112,667	74,539	42,743	91,933	82,539	72,477
<b>Ballots Mailed:</b>		238,062	962	954	1,585	885	1,175	736	737	820



DAILY RECORD OF EARLY VOTING UNOFFICIAL TOTALS  
November 3, 2020 General and Special Elections

Location	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Totals
	Oct. 22	Oct. 23	Oct. 24	Oct. 25	Oct. 26	Oct. 27	Oct. 28	Oct. 29	Oct. 30	
County Attorney Conference Center	232	176	57	39	139	155	136	187	190	4,720
HCPL Barbara Bush Branch	885	980	538	406	786	901	820	1033	1170	16,206
Fairfield Inn and Suites Houston NW Willowbrook	416	486	215	243	403	483	508	563	727	10,266
Lakewood Residents Club	756	790	386	345	642	707	722	736	904	14,823
ISGH Champions Community Center	578	651	371	262	473	558	542	666	897	13,885
Prairie View A&M University Northwest	837	943	591	496	837	842	879	1173	1281	16,606
Lake Houston Church of Christ	948	994	502	354	747	782	808	903	1185	21,525
Victory Houston	170	210	102	131	281	289	276	581	650	5,251
Kingwood Community Center	1,548	1,572	939	622	1,237	1,323	1178	1244	1541	26,764
Coady Baptist Church	285	399	195	159	374	340	422	435	646	7,877
La Porte Recreation and Fitness Center	427	515	253	187	448	457	454	492	729	11,006
San Jacinto Community Center	125	137	56	43	107	105	118	135	195	3,186
East Harris County Activity Center	1,070	1,271	556	407	992	1,021	1066	1462	1692	23,022
Crosby Community Center	477	553	300	231	475	474	475	513	715	11,640
El Franco Lee Community Center	407	497	256	240	407	480	485	577	799	10,249
Clear Lake Islamic Center	377	447	318	127	297	353	353	407	482	9,324
MultiCultural Center	82	153	57	65	88	131	102	123	179	2,757
Pipers Meadow Community Center	235	286	140	110	249	296	226	324	416	5,725
Harris County Scarsdale Annex	754	747	453	327	713	743	747	925	1091	15,207
University of Houston Clear Lake	648	865	421	241	555	630	622	730	887	14,225
Webster Civic Center	318	368	133	131	303	260	341	316	485	6,872
Forest Bend Homeowners Association Inc	295	353	177	142	271	283	287	339	498	7,021
Juergens Hall Community Center	1,227	1,327	958	616	1,150	1,155	1176	1577	1487	22,375
Hockley Community Center	317	400	181	128	278	271	310	333	462	8,380
Saint John Lutheran Church and School	965	1,136	598	457	818	866	870	1009	1305	19,330
Tomball Public Works Building	693	804	503	211	642	591	557	653	815	14,499
Hiram Clarke Multi Service Center	377	412	303	183	431	408	412	568	669	10,273
Alief Regional Library	637	615	583	320	629	654	645	663	707	11,585
Kingdom Builders Center	48	87	47	15	50	61	67	86	60	1,805
The Power Center	250	303	199	129	301	334	338	389	539	7,467
Raindrop Turkish House	347	409	254	174	350	422	416	476	622	8,654
Lakeland Activity Center	580	752	340	327	435	472	529	569	737	12,857
James E Taylor High School	660	839	466	333	571	619	619	715	949	15,025
Katy Branch Harris County Public Library	606	722	449	293	578	589	612	707	793	12,190
Lone Star College Cypress Center	833	900	608	447	822	907	930	1097	1158	17,328

## November 3, 2020 General and Special Elections

Location	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Totals
	Oct. 22	Oct. 23	Oct. 24	Oct. 25	Oct. 26	Oct. 27	Oct. 28	Oct. 29	Oct. 30	
Harris County MUD 81 Building	563	597	297	206	470	474	406	515	659	11,120
John Paul Landing Environmental Education Center	172	227	146	128	164	175	184	192	283	5,884
Morton Ranch High School	493	710	463	380	467	658	576	761	1064	14,540
Nottingham Park Building	915	999	598	386	845	882	787	915	1040	17,119
Masjid El Farooq	203	252	253	77	131	177	183	266	323	5,060
Unity of Houston Annex	374	469	211	201	461	477	468	548	692	9,010
First Congregational Church	548	633	297	150	548	541	572	547	719	11,752
Crowne Plaza Houston Galleria	236	237	97	64	198	188	209	244	276	5,826
Hampton Inn Galleria	565	635	265	249	506	652	579	679	766	11,971
Hampton Inn and Suites	302	398	138	113	212	312	272	300	401	6,902
Metropolitan MultiService Center	1,222	1,419	652	452	974	1,159	1177	1197	1417	25,475
Rice University	782	568	512	359	606	638	584	502	840	13,080
John P McGovern Texas Medical Center Commons	441	476	168	167	314	331	333	702	657	11,176
HCC West Loop South	493	569	376	206	366	378	390	432	572	11,895
City Jersey Village Municipal Government Center	1,135	1,182	700	526	900	995	1075	1165	1548	23,580
Richard and Meg Weekley Community Center	1,508	1,712	1,166	884	1,375	1,442	1496	1677	1975	29,810
Bayland Park Community Center	754	887	606	338	772	845	813	962	1112	17,556
Houston Community College Alief Hayes Campus	553	659	629	276	405	605	622	750	893	11,755
Tracy Gee Community Center	653	615	333	216	603	553	567	982	1002	14,398
ISGH Bear Creek Community Center	475	545	342	329	485	547	520	682	960	13,370
John Knox Presbyterian Church	485	520	284	201	473	526	537	639	786	10,260
Katherine Tyra Branch Library	653	715	502	349	649	724	714	806	851	12,734
Trini Mendenhall Community Center	891	1,002	506	415	767	888	876	969	1113	20,023
Encourager Church	465	669	247	170	460	499	460	559	706	11,832
Acres Homes Multi Service Center	337	443	253	224	392	412	421	568	775	11,614
Fallbrook Church	191	318	245	88	173	172	165	277	508	7,432
New Destiny Praise and Worship Center	215	187	180	124	263	250	300	335	462	5,785
Lone Star College Victory Center	361	440	318	250	420	424	441	610	709	9,917
Hardy Street Senior Citizens Center	251	287	173	113	305	293	356	384	462	6,163
BakerRipley East Aldine Campus	151	193	95	109	190	234	270	277	412	4,090
Anclamars W Reception Hall A	97	107	53	63	151	133	150	217	314	3,151
Church of Christ on Bammel Road	281	279	163	67	224	244	216	295	378	7,238
Northeast Multi Service Center	261	232	171	121	236	270	233	344	456	6,481
Green House International Church	173	150	108	82	185	222	220	262	440	4,229
Holiday Inn Houston Intercontinental Airport Hotel	187	241	87	90	176	181	206	264	354	5,626

DAILY RECORD OF EARLY VOTING UNOFFICIAL TOTALS  
November 3, 2020 General and Special Elections

Location	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Totals
	Oct. 22	Oct. 23	Oct. 24	Oct. 25	Oct. 26	Oct. 27	Oct. 28	Oct. 29	Oct. 30	
Lone Star College North Harris	312	299	178	216	290	372	380	520	641	7,232
HCC North Forest Campus	204	180	99	102	206	224	200	277	335	5,370
Humble Civic Center	796	1,033	807	400	829	924	849	960	1087	17,649
C E King Middle School	199	291	150	123	256	286	284	400	479	6,486
Houston Food Bank	29	42	30	13	37	30	40	63	79	1,085
Kashmere MultiService Center	250	238	167	128	307	303	283	684	753	7,721
North Channel Branch Library	522	592	440	273	508	601	577	685	672	10,286
Martin Flukinger Community Center	115	119	54	51	113	142	138	159	333	4,258
Alvin D Baggett Community Center	98	108	82	37	105	132	120	141	223	3,378
Milton Lusk Activity Center	115	131	97	73	158	184	157	201	280	3,223
Neighborhood Centers Inc Ripley House Campus	344	403	218	161	368	429	461	493	684	8,800
Harris County Cultural Arts Center	192	220	187	101	259	263	313	387	596	7,164
Lee College	459	525	318	241	546	564	556	651	949	11,840
John Phelps Courthouse	137	198	129	54	160	167	141	230	575	4,487
Iglesia Una Luz en Tu Camino	84	85	59	32	85	102	99	150	204	1,883
HCC Southeast College Building C Parking Garage	393	458	294	225	447	517	559	648	923	10,313
Baker Ripley Cleveland Ripley Neighborhood Center	418	573	296	257	556	609	602	703	999	11,170
Saint Philip Neri Catholic Church	193	196	138	84	170	201	185	246	365	5,199
NRG Arena	229	286	163	87	208	234	242	564	696	6,221
Sunnyside Multi Service Center	376	358	335	172	393	471	436	562	747	10,522
J J Roberson Family Life Center	86	61	34	30	92	88	80	99	191	2,747
Toyota Center	98	138	162	70	107	104	119	127	170	3,242
West End Multi Service Center	407	548	247	181	377	478	491	538	757	11,096
Marriott Houston South at Hobby Airport	147	191	108	103	190	204	228	301	466	4,200
Wheeler Avenue Baptist Church	134	142	99	40	123	131	141	211	256	4,562
Texas Southern University- West Side Parking Garage	104	93	100	36	128	123	139	184	246	3,712
University of Houston Student Center South	196	225	89	54	165	186	219	253	276	4,639
Shrine of The Black Madonna Cultural & Event Center	155	199	90	63	165	150	155	178	292	4,743
Sheraton Houston Brookhollow Hotel	332	406	180	99	247	290	349	386	528	7,485
Clark Park Community Center	139	139	69	80	129	193	245	303	389	3,227
The Grand Tuscany Hotel	368	364	209	164	305	372	410	481	678	8,522
Moody Park Community Center	419	453	306	208	443	438	434	595	764	9,786
SPJST Lodge Num 88	652	832	341	218	568	631	615	670	842	14,966
Resurrection Metropolitan Community Church	194	280	213	104	160	221	222	233	361	6,880
Houston Community College Alief Center	276	329	232	106	274	224	253	337	397	6,719

November 3, 2020 General and Special Elections

Location	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Totals
	Oct. 22	Oct. 23	Oct. 24	Oct. 25	Oct. 26	Oct. 27	Oct. 28	Oct. 29	Oct. 30	
Mission Bend Islamic Center	272	285	178	159	280	290	269	316	451	6,361
Big Stone Lodge	420	410	452	216	390	368	378	477	595	9,438
Klein Multipurpose Center	940	1,014	680	558	955	968	953	1122	1255	17,840
Lone Star College Creekside	757	859	382	325	651	726	609	706	860	14,970
Samuel Matthews Park Community Center	192	259	108	106	177	167	198	180	261	5,327
Spring First Church	892	981	536	328	813	883	839	988	1357	18,993
Hosanna Lutheran Church	246	261	146	105	249	294	332	362	571	6,378
Kingdom Builders Center	194	201	249	142	221	268	242	358	458	5,745
HCC West Loop South	807	864	781	485	787	907	1014	1137	1329	18,674
Fallbrook Church	830	493	1,058	482	937	1,030	1035	1282	1348	18,909
Humble Civic Center	787	519	762	474	813	795	840	1044	1598	19,161
Houston Food Bank	106	94	126	62	102	138	133	174	220	2,724
John Phelps Courthouse	383	462	382	235	443	501	502	592	555	8,245
NRG Arena	700	835	683	263	731	837	919	1324	1494	19,349
Toyota Center	378	572	397	251	447	550	561	616	819	11,617
Resurrection Metropolitan Community Church	438	507	406	197	432	543	546	665	717	10,337
Houston Community College Alief Center	517	454	550	389	528	575	611	681	1026	12,151
<b>Early In Person Voters:</b>	54,827	61,476	38,735	26,277	52,175	56,891	57,129	69,174	86,734	1,264,811
<b>Mail Ballots Returned:</b>	21,928	8,326	4,013	560	6,407	569	4,652	5,460	3,572	170,410
<b>Total Early Voters:</b>	76,755	69,802	42,748	26,837	58,582	57,460	61,781	74,634	90,306	1,435,221
<b>Ballots Mailed:</b>	1,518	1,048	0	1,166	90	110	441	59	86	250,434

NO. \_\_\_\_\_

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# In the Supreme Court of Texas

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IN RE STEVEN HOTZE, M.D., HARRIS COUNTY REPUBLICAN PARTY,  
HON. KEITH NIELSEN, AND SHARON HEMPHILL,

*Relators,*

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**On Petition for Writ of Mandamus to the Harris County Clerk**

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**PETITION FOR WRIT OF MANDAMUS**

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JARED WOODFILL  
Woodfill Law Firm, P.C.  
State Bar No. 00788715  
3 Riverway, Ste. 750  
Houston, Texas 77056  
(713) 751-3080 (Telephone)  
(713) 751-3058 (Facsimile)  
woodfillservice@gmail.com

*Counsel for Relators*

## Identity of Parties and Counsel

### 1. Relators

Steven F. Hotze, MD  
20214 Braidwood Drive  
Katy, Texas 77450 (Harris County)

Dr. Hotze is a registered voter in Harris County and will be voting in the general election. [App. A]

Harris County Republican Party  
2501A Central Parkway Suite A11  
Houston, Texas 77092-7716  
Phone: (713) 838-7900

The Harris County Republican Party is a political party established under the Texas Election Code.

Hon. Keith Nielson  
2501A Central Parkway Suite A11  
Houston, Texas 77092  
Phone: (713) 838-7900

Hon. Keith Nielson is its elected chairman. [App. B]

Sharon Hemphill  
[REDACTED]  
[REDACTED]

Sharon Hemphill is a registered voter in Harris County. Sharon Hemphill is the Republican nominee for judge of the Texas 80th District Court, Harris County, Texas. She is on the ballot in the general election on November 3, 2020. She advanced from the Republican primary on March 3, 2020. [App. C]

*Lawyer for Relators:*

Jared R. Woodfill  
Woodfill Law Firm, P.C.  
State Bar No. 00788715  
3 Riverway, Ste. 750  
Houston, Texas 77056  
Tel: (713) 751-3080  
Fax: (713) 751-3058  
woodfillservice@gmail.com

**2. Respondent**

Hon. Chris Hollins  
Harris County Clerk  
201 Caroline Street, Suite 310  
Houston, Texas 77002

*Lawyer for Respondent Hollins:*

Vince Ryan  
Office of the Harris County Attorney  
1019 Congress, 15<sup>th</sup> Floor  
Houston, Texas 77002  
vince.ryan@cao.hctx.net

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Comparative Analysis 84 (1977) .....31

### Appendix References

The attached Appendix (“App.”) consists of the following:

Affidavit of Steven Hotze, M.D. ....	App. A
Affidavit of Keith Nielsen .....	App. B
Affidavit of Sharon Hemphill.....	App. C
Affidavit of Jennifer Anne Hall.....	App. D
July 27, 2020 Executive Order .....	App. E
July 22, 2020 Hollins Request to Abbott.....	App. F

## Statement of the Case

### Nature of the Case

Respondent Hollins has announced that the Harris County Clerk's Office will allow any and all Harris County Registered voters – regardless of whether they are permitted to do so under the Texas Election Code – to engage in early and election day “drive-thru” or curbside voting. Under Texas Election Code Section 64.009, 82.02, and 104.001-104.005. The Texas Election Code restricts curbside voting to three distinct categories: (i) a voter is present sick at the time of the vote; (ii) a voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter's health. The criteria for curbside voting is equally applicable with ballots by mail voting. The Texas Supreme Court recently held that a voter's lack of immunity to COVID-19, without more, is not a “disability” as defined by the Election Code, and therefore, is not a sufficient basis to permit a voter to validly vote by mail. Accordingly, by indiscriminately encouraging any and all Harris County registered voters to cast their ballots curbside on this invalid basis, Respondent's ultra vires act to vote curbside in violation of state law must be stopped. Moreover, it appears that even legal instances of curbside voting will be illegally conducted due to the fact that the contemplated curbside voting activity will be conducted adjacent to polling locations which are not located inside of a building. Accordingly, Relators



seek mandamus relief to compel Respondent to perform his nondiscretionary, ministerial duties to restrict curbside voting to only those Harris County registered voters who have submitted sworn applications which facially satisfy at least one of the tree specific categories permitting curbside voting under the Texas Election Code, and to restrict any and all legal curbside voting to curbside activities which solely occur adjacent to a polling location which is located inside of a building.

**Respondent**

Chris Hollins, in his official capacity as the Harris County Clerk, who, under Section 83.002 of the Texas Election Code (early voting) and Section 104.001 of the Texas Election Code (election day voting), is designated as the “Early Voting Clerk.”

**Relief Requested**

Respondent should be required to reject curbside voting to any Harris County registered voter who has not submitted the required sworn application to vote curbside or who submitted an application which does not facially satisfy any of the required criteria for curbside voting. Further, no curbside voting should be permitted by eligible curbside voters unless and until such voting occurs adjacent to a polling location which is located inside a building.

### Statement of Jurisdiction

Texas Election Code §273.061 gives the Court original jurisdiction to issue a writ of mandamus “to compel the performance of any duty imposed by law in connection with the holding of an election.” The Relators have a compelling reason to request mandamus from this Court in the first instance. *See* Tex. R. App. P. 52.3. The November 3<sup>rd</sup>, 2020 general election is quickly approaching and Respondent is allowing curbside voting or “drive-thru” voting for all voters regardless of whether (i) the voter is sick at the time of the vote; (ii) has a physical condition requiring personal assistance; or (iii) voting inside the polling location would create a likelihood of injuring the voter’s health. Tex. Elec. Code §§ 64.009, 82.02 and 104.001-104.005.

This Court has stated "that an election in this state is not a single event, but a *process*, and that the entire *process* is subject to contest." *Dickson v. Strickland*, 265 S.W. 1012, 1018 (Tex. 1924). This case involves the enforcement by mandamus of duties involved with the "holding of an election," an election being the *entire process* including the date early voting begins and when a voter can deliver a marked ballot by mail in person to the early voting clerk’s office. *Grant v. Ammerman*, 437 S.W.2d 547, 548-49 (Tex. 1969). Mandamus will lie to enforce ministerial duties arising in connection with an election. *Id.*

In this Petition for Writ of Mandamus, Relators are challenging the *process* of the election, i.e., the manner in which the Respondent is implementing curbside or “drive-thru” voting. Relators include a candidate on the November 3, 2020 ballot in Harris County, Texas, (Sharon Hemphill) the Harris County Republican Party and its Chairman, and a voter/activist (Dr. Steven Hotze).

Relators ask the Court to use the power granted by the Election Code “to compel the performance of any duty imposed by law in connection with the holding of an election.” Tex. Elec. Code § 273.061. When time is of the essence, this Court has not hesitated to exercise its mandamus authority. *See, e.g., In re Woodfill*, 470 S.W.3d 473, 481 (Tex. 2015) (per curiam); *In re Carlisle*, 209 S.W.3d 93, 95-96 (Tex. 2006) (per curiam); *In re Tex. Senate*, 36 S.W.3d 119, 121 (Tex. 2000); *Sears v. Bayoud*, 786 S.W.2d 248, 250 & n.1 (Tex. 1990). The Court should exercise its original mandamus authority again in that Hollins illegal actions have begun and will continue through election day.

**Statement Regarding Oral Argument and  
Request for Expedited Briefing and Decision**

Harris County early in-person voting began on October 13, 2020<sup>1</sup>. Election Day voting for the 2020 General Election will take place on November 3, 2020, which is less than a month away. Because time is of the extreme essence, Relators respectfully request that the Court expedite this Petition and issue a decision immediately. *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, this Petition should be granted without oral argument.

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<sup>1</sup> <https://www.harrisvotes.com/Docs/VotingInfo/VotingByMailFAQs-en-US.pdf> (last accessed October 8, 2020)

### **Statement of the Issues Presented**

1. Is Respondent failing to perform his nondiscretionary, ministerial duties by encouraging and permitting Harris County registered voters to cast their ballots curbside even though they do not satisfy any of the three specific categories permitting curbside voting under the Texas Election Code?

2. Is Respondent failing to perform his nondiscretionary, ministerial duties under Section 43.031 of the Texas Election Code by encouraging and permitting Harris County registered voters to cast their ballots curbside adjacent to polling locations which are not located inside of a building?

3. Is Governor Abbott's July 27, 2020 Proclamation unconstitutional in that it suspends the Texas Election Code?

4. Is the Texas Disaster Act, Tex. Gov't Code §418 et seq. unconstitutional to the extent it allows Governor Abbot to unilaterally suspend laws?

## **Introduction**

Under Section 83.002 of the Texas Election Code, Respondent Hollins is the early voting clerk for Harris County by virtue of his position as Harris County Clerk. Pursuant to Section 104.001 of the Texas Election Code, Respondent Hollins is also the Clerk for Election Day voting. As such, Respondent has the responsibility of enforcing the election laws to ensure a fair and honest election in Harris County.

Despite the fact that the Texas Election Code restricts curbside voting to only three (3) specific and narrowly defined categories of voters, Respondent is – using the COVID-19 pandemic as his pretext – to permit any and all Harris County registered voters to vote curbside. On May 15, 2020, the Texas Supreme Court rejected Respondent’s contention that a voter’s lack of immunity from COVID-19 and concern about contracting it at a polling place constitutes a “disability” within the meaning of the statute permitting a voter to cast a ballot by mail. The exact same rationale applies with equal force to Respondent’s latest attempt to ignore the narrow confines of the carefully defined standards for the three types of situations where a voter may properly vote curbside under the Texas Election Code. None of those instances are satisfied by a voter’s lack of immunity to COVID-19, or by a generalized subjective fear of contracting a virus, or by a desire for “convenience” or to enjoy the “comfort” of one’s vehicle while voting. Additionally, Respondent is allowing curbside voting to occur in violation of the Texas Election Code which

requires early voting to begin on October 19, 2020, not October 13, 2020. Respondent is relying on Governor Abbott's July 27, 2020 Proclamation suspending the Texas Election Code and moving early voting up from October 19, 2020 to October 13, 2020. Unless stopped, each of these instances of illegal voting will cast a cloud over the results of the General Election, as illegal votes will be cast and counted in direct violation of the Texas Election Code.

## Statement of Facts

United States Court of Appeals Judge James Ho recently addressed the abuse of power that has been exercised by Governor Abbott since March of this year, stating, “The federal district court [by allowing eleven (11) different drop off locations in Harris County for marked ballots by mail] usurped the authority that our Constitution vests in state legislatures to set the rules governing federal elections. But so did the Governor of Texas....” *Texas League of United Latin American Citizens v. Hughs*, No. 20-50867, (5<sup>th</sup> Cir. October 12, 2020)(Ho, J, concurring).

Judge Ho further describes Governor Abbott’s assault on the Texas Constitution: “The district court was wrong to rewrite Texas law. But the distinguished judge who did so *was simply following in the Governor’s footsteps. It is surely just as offensive to the Constitution to rewrite Texas election law by executive fiat as it is to do so by judicial fiat. Yet that is what occurred here.* Respected legislators and public leaders called on the Governor to call a special session so that legislators in both parties could consider and debate amendments to the state’s election rules to accommodate voter concerns arising out of the pandemic. *But the Governor rejected those calls, and instead issued a series of executive proclamations purporting to unilaterally ‘suspend’ various Texas election laws.* Those actions have generated significant controversy. Members of the Texas Supreme Court described the Governor’s actions as *‘a clear abuse of discretion of a public official,’ In re Hotze,*



\_\_ S.W.3d \_\_, \_\_ (Tex. Oct. 7, 2020) (Devine, J., dissenting) (emphasis in original) (quotations omitted), that “raise[s] important questions about the constitutionality of government action during the coronavirus crisis,” *id.* at \_\_ (Blacklock, J., concurring). Only the district court’s rewriting of Texas law is before us today, however. And that leads us to an unfortunate irony: *by setting aside only the district court’s rewriting of Texas law, we must restore the Governor’s rewriting of Texas law. It recalls the adage that sometimes it’s only the guy who throws the second punch that gets caught.*” *Id.*

Here, the Court has the opportunity to “catch” the guy who has thrown the first punch, Governor Greg Abbott. As Justice Devine has previously stated, “The Texas Constitution is not a document of convenient consultation. It is a steadfast, uninterrupted charter of governmental structure. Once this structure erodes, so does the promise of liberty.” *In re Hotze*, 2020 Tex. LEXIS 680, (Devine, J., concurring).

**I. Respondent Hollins’ Ministerial Duties Under the Texas Election Code**

Under Section 83.002 of the Texas Election Code, Respondent Hollins is the early voting clerk for Harris County by virtue of this position as Harris County Clerk. Pursuant to Section 104.001 of the Texas Election Code, Respondent Hollins is also the clerk for Election Day voting. As such, Respondent has the responsibility of enforcing the election laws to ensure a fair and honest election in Harris County.

One of the statutory election mandates for which Respondent Hollins is responsible deals with curbside voting. This is a method of voting whereby a qualifying voter may vote from a vehicle in lieu of coming inside to vote at a polling location. In order to take advantage of curbside voting, a registered voter must prepare and sign a sworn application. The application is similar to the application for vote by mail, and a voter must affirmatively check specific boxes on the form in order to facially demonstrate to the Early Voting Clerk (Respondent Hollins) compliance with the curbside voting statutes under the Texas Election Code.

Under Texas Election Code Sections 64.009, 82.02, and 104.001, curbside voting is restricted to three distinct categories: (i) a voter is presently sick at the time of the vote; (ii) a voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter's health. Despite the fact that the Texas Election Code restricts curbside voting to only three (3) specific and narrowly defined categories of voters, Respondent has publicly announced his intention – using the COVID-19 pandemic as his pretext – of permitting any and all Harris County registered voters to vote curbside. Respondent previously tried to use the same improper rationale to wrongly issue of 2.37 million unsolicited ballot by mail applications. On May 25, 2020, the Texas Supreme Court rejected this same Respondent's contention that a voter's lack of immunity from COVID-19 and

concern about contracting it at a polling place constitutes a “disability” within the meaning of the statute permitting a voter to cast a ballot by mail. The exact same rationale applies with equal force to condemn Respondent’s latest attempt to ignore the narrow confines of the carefully defined standards for the three types of situations where a voter may properly vote curbside under the Texas Election Code. None of those instances are satisfied by a voter’s lack of immunity to COVID-19, or by a generalized subjective fear of contracting a virus, or by a desire for “convenience” or to enjoy the “comfort” of one’s vehicle while voting.

**II. Respondent Hollins Is Permitting Countywide Drive-Thru Voting In Direct Violation of the Texas Election Code**

Respondent Hollins has implemented a countywide “drive-thru” voting program for every registered voter in Harris County. A true and correct transcription of the pertinent excerpt from a press conference where Respondent Hollins identifies the program is attached to the Appendix to this Mandamus Petition. See App. D At 5-6. Beginning at the 4-minute mark, and continuing on to 4:33, Respondent Hollins said the following:

“Drive-thru voting is an option for all voters who would like to be able to vote from the safety and comfort of your vehicle. Drive-thru voting allows those who don’t qualify to vote by mail to minimize your exposure to other voters and to election workers. While we hope to have short lines across the county, drive-thru voters waiting in line will be able to wait in the comfort of your vehicle where you can listen to the radio or converse with loved ones until you are pointed to your drive-thru voting booth. We hope that Harris County voters will consider utilizing drive-thru voting.”

See App. D At 5-6. In addition to Respondent Hollins' press conference, he also released a video on YouTube, which is also posted on the Harris County Clerk's Office website, just this past Friday, October 9, 2020. See App. D At 6. This video is entitled "Drive-Thru Voting in five steps." Nowhere in this demonstrative video of a voter voting curbside in his vehicle is there any discussion or caution or depiction about how a voter may determine his or her eligibility to vote curbside. Nor is there any mention or depiction that a voter desiring to vote curbside must fill out a sworn application to vote curbside. Hollins' position that anyone and everyone may vote curbside in Harris County should they wish to do so. This is what Hollins is allowing to occur. Finally, the video depicts curbside voting taking place outside of a polling location and that polling location is not inside of a building. See App. D At 6.

Because Respondent Hollins is allowing Harris County Registered voters to vote curbside without regard to whether they are eligible to vote curbside, and because of the very clear threat of imminent harm which will result from ineligible curbside voting taking place in violation of the Texas Election Code. Relators bring this Mandamus Petition to mandate compliance by the Respondent with his clear and non-discretionary ministerial duties. As will be shown below, Respondent's directive is in conflict with the Texas Election Code and should not be countenanced by this Court.

**III. On July 27, 2020, Governor Abbott Unilaterally Suspended the Texas Election Code**

On July 27, 2020, Governor Abbott issued an order suspending the Texas Election Code. [App. E]. Section 85.001(a) of the Texas Election Code provides that the period for early voting by personal appearance begins 17 days before election day. In his July 27, 2020 Proclamation/Order, Abbott concluded, “[I]t has become apparent that for the November 3, 2020 elections, strict compliance with the statutory requirements in Sections 85.001(a) and 86.006(a-1) of the Texas Election Code would prevent, hinder, or delay necessary action in coping with the COVID-19 disaster, and that providing additional time for early voting will provide Texans greater safety while voting in person....” [App. E].

In his July 27, 2020 Proclamation, Abbott “suspend Section 85.001(a) of the Texas Election Code to the extent necessary to require that, for any election ordered or authorized to occur on November 3, 2020, early voting by personal appearance shall begin on Tuesday, October 13, 2020, and shall continue through the fourth day before election day.” [App. E]

**IV. Article I §28 of the Texas Constitution Prohibits Abbott and Respondent from Suspending Laws**

The Texas Bill of Rights, article I of the Texas Constitution, unequivocally addresses Governor Abbott’s and Respondent Hollins’ attempt to suspend the Texas

Election Code. Specifically, article I, §28 of the Texas Constitution states, “No power of suspending laws in this State shall be exercised except by the Legislature.”

**a. Abbott Responds to Harris County Clerk’s Request by Amending Code**

On July 22, 2020, Harris County Clerk Chris Hollins asked Governor Abbott to extend the early voting period for the November 2020 general election. [App. F]. Specifically, Clerk Hollins asked Abbott to “please increase Early Voting by at least one week, to begin not later than Tuesday, October 13, 2020.” [App. F]. Soon thereafter, July 27, 2020, Governor Abbott unilaterally amended the Texas Election Code to extend early voting by six (6) days, October 13, 2020, and allowing a voter to deliver a marked mail ballot in person to the early voting clerk’s office prior to and including on election day. [App. F].

**b. Respondent Hollins is Implementing Abbott’s Unlawful Order**

Respondent Hollins has curbside or drive-thru location that are currently receiving votes in a period of time, i.e., prior to October 19, 2020, when in person voting should not be occurring under the Texas Election Code. It is only because of Abbott’s July 27, 2020 Proclamation suspending the Texas Election Code that voting is taking place at this point in time.

**c. The United States Court of Appeals for the Fifth Circuit Recently Questioned the Constitutionality of Abbott’s Authority under the Texas Disaster Act**

Governor Abbott's unilateral order and suspension of the Texas Election Code allowed Respondent Hollins' drive-thru voting to begin on or about October 13, 2020. (App. B). The July 27, 2020 proclamation is part of the Governor's unilateral expansion of opportunities to cast an absentee ballot in Texas well beyond the stricter confines imposed by the Texas Legislature in the Election Code. Once again, Relators Hotze, Nielsen and Hemphill challenge the Governor's ability to suspend laws under the auspices of the Texas Disaster Act. But for Abbott's July 27, 2020 proclamation unilaterally suspending the Texas Election Code §85.001(a) and moving early voting by personal appearance to October 13, 2020, Hollins' drive-thru voting scheme would not be in place at this time.

In a recent concurring opinion involving Respondent's efforts to create eleven (11) drop-off locations for marked ballots by mail, Judge James Ho concluded: "I concur fully in Judge Duncan's typically thoughtful opinion. But I also do so grudgingly. ***I firmly agree that the federal district court usurped the authority that our Constitution vests in state legislatures to set the rules governing federal elections. But so did the Governor of Texas—as Judge Duncan also cautions. See supra at \_\_\_ n.7. The district court was wrong to rewrite Texas law. But the distinguished judge who did so was simply following in the Governor's footsteps. It is surely just as offensive to the Constitution to rewrite Texas election law by executive fiat as it is to do so by judicial fiat.*** Yet that is what occurred here.

Respected legislators and public leaders called on the Governor to call a special session so that legislators in both parties could consider and debate amendments to the state's election rules to accommodate voter concerns arising out of the pandemic.

***But the Governor rejected those calls, and instead issued a series of executive proclamations purporting to unilaterally “suspend” various Texas election laws.***

Those actions have generated significant controversy. Members of the Texas Supreme Court described the Governor's actions as ***“a clear abuse of discretion of a public official,”*** *In re Hotze*, \_\_ S.W.3d \_\_, \_\_ (Tex. Oct. 7, 2020) (Devine, J., dissenting) (emphasis in original) (quotations omitted), that “raise[s] important questions about the constitutionality of government action during the coronavirus crisis,” *Id.* at \_\_ (Blacklock, J., concurring). Only the district court's rewriting of Texas law is before us today, however. ***And that leads us to an unfortunate irony: by setting aside only the district court's rewriting of Texas law, we must restore the Governor's rewriting of Texas law. It recalls the adage that sometimes it's only the guy who throws the second punch that gets caught.*** The Dictionary of Modern Proverbs 209 (2012). I grudgingly concur.” *Texas League of United Latin American Citizens v. Hughs*, No. 20-50867 (5<sup>th</sup> Cir. October 12, 2020)(Ho, J, concurring).

Unlike the Court in *Texas League of United Latin American Citizens v. Hughs*, this Court has an opportunity to once and for all address the constitutionality of Governor Abbott's unlawful executive orders issued under the auspices of the Texas



Disaster Act. Relators’ pray this Court will not shrink from this responsibility, but instead for the sake of Relators and all Texans stop this abuse of power by the executive branch.

## **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. Respondent Hollins Has a Ministerial Duty to Comply with and Enforce the Requirements of the Texas Election Code.**

#### **A. Respondent Hollins Has a Ministerial Duty to Review Each Sworn Application in Order to Verify that the Applicant Has Supplied All of the Required Information to Permit Curbside Voting.**

Pursuant to Section 83.002 of the Texas Election Code, Respondent Hollins, as the Harris County Clerk, is designated as the “Early Voting Clerk.” Because Section 64.009 of the Texas Election Code permits curbside voting under limited circumstances during Early Voting, Respondent Hollins’ duties as the Early Voting

Clerk include the enforcement of curbside voting during Early Voting. Moreover, under Section 104.001 of the Texas Election Code, Respondent Hollins is designated as the “Early Voting Clerk” for Election Day curbside voting. In order to enable an eligible voter to legally vote curbside, the registered voter must submit a sworn application for ballot similar to the application for a ballot by mail described in Section 84.001 (Eligible voter must make an application for an early voting ballot to be voted by mail).

The pertinent statutes for curbside voting are as follows:

Section 64.009. VOTER UNABLE TO ENTER POLLING PLACE.

- (a) If a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter’s health, on the voter’s request, an election officer shall deliver a ballot to the voter at the polling place entrance or curb.
- (b) The regular voting procedures may be modified by the election officer to the extent necessary to conduct voting under this section.
- (c) After the voter is accepted for voting, the voter shall mark the ballot and give it to the election officer who shall deposit it in the ballot box.
- (d) On the voter’s request, a person accompanying the voter shall be permitted to select the voter’s ballot and deposit the ballot in the ballot box.

Sec. 82.002. DISABILITY.

- (a) A qualified voter is eligible for early voting by mail if the voter has a sickness or physical condition that prevents the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter’s health.

TITLE 7. EARLY VOTING

SUBTITLE B. SPECIAL FORMS OF EARLY VOTING

## CHAPTER 104. VOTING ON ELECTION DAY BY DISABLED VOTER FROM VOTING SYSTEM PRECINCT

### Sec. 104.001. ELIGIBILITY.

A qualified voter in whose precinct polling place voting is conducted by voting machine is eligible to vote by the early voting procedure provided by this chapter if the voter has a sickness or physical condition that prevents the voter from voting in the regular manner without personal assistance or likelihood of injuring the voter's health.

### Sec. 104.002. FORM AND CONTENTS OF APPLICATION.

An application for a ballot voted under this chapter must:

- (1) be in the form of an affidavit; and
- (2) include, in addition to the information required by the applicable provisions of Section 84.002, a statement that the applicant has not previously voted in the election.

### Sec. 104.003. TIME AND PLACE FOR VOTING.

Voting under this chapter shall be conducted on election day, beginning at 7 a.m. and concluding at 7 p.m., at the main early voting polling place. However, if the early voting ballots voted by mail are processed at a location other than the main early voting polling place, the early voting clerk may require the voting to be conducted at that location.

### Sec. 104.004. VOTING PROCEDURE.

- (a) On submission of an application to the early voting clerk, the clerk shall review the application and verify the applicant's registration status in accordance with the procedure applicable to early voting by mail.
- (b) The voting shall be conducted with the balloting materials for early voting by mail.
- (c) The voter must mark and seal the ballot in the same manner as if voting by mail except that the certificate on the carrier envelope need not be completed.
- (d) On sealing the carrier envelope, the voter must give it to the clerk, who shall note on the envelope that the ballot is voted under this chapter.

(e) If the voter is physically unable to enter the early voting polling place without personal assistance or a likelihood of injuring the voter's health, the clerk shall deliver the balloting materials to the voter at the polling place entrance or curb.

Sec. 104.005. PROCESSING RESULTS.

The results of voting under this chapter shall be processed in accordance with the procedures applicable to processing early voting ballots voted by mail.

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 sworn application satisfies the criteria set forth in the Texas Election Code to permit a specific voter to vote curbside during both Early Voting and Election Day voting.

**B. Respondent Hollins Has a Ministerial Duty to Reject an Application for Curbside Voting That does No Contain the Required Information to Permit Curbside Voting.**

Under Texas Election Code Sections 64.009, 82.02, and 104.001, curbside voting is restricted to three distinct categories: (i) a voter is presently sick at the time of the vote; (ii) a voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter's health. Respondent Hollins, however, has announced his policy to permit *any registered Harris County voter* to cast their ballot via drive-thru voting. This illegal policy, which is grounded on the dubious

notion that a lack of immunity from COVID-19 justifies a wholesale repudiation of the Texas Election Code, *has already been expressly rejected by the Texas Supreme Court*. *In re State of Texas*, 602 S.W.3d 549 (Tex. 2020). Rejecting Respondent Hollins’ argument in that case that a voter’s lack of immunity from the disease and concern about contracting it a polling place justifies a voter’s choice to cast a ballot by mail, the Supreme Court made clear that a generalized fear of contracting a virus would not, standing alone, be sufficient to trigger a statutory right to vote by mail.

The Court’s reasoning in *In re State of Texas*, 602 S.W.3d 549 (Tex. 2020), applies Respondent’s allowing curbside voting for anyone who wants to vote curbside. The “disability” language contained in Section 82.002(a) regarding ballots by mail tracks the same language as is contained in Sections 64, 82, and 104 regarding curbside voting. Under Texas Election Code Sections 64.009, 82.02, and 104.001, curbside voting is restricted to three distinct categories: (i) a voter is presently sick at the time of the vote; (ii) a voter has a physical condition requiring personal assistance (e.g., is physically handicapped); or (iii) voting inside the polling location would create a likelihood of injuring the voter’s health. Given this Court’s decision on mail-in ballots, see *In re State of Texas*, 602 S.W.3d 549 (Tex. 2020), it is abundantly clear that Respondent Hollins may not, consistent with his ministerial duties to comply with the Texas Election Code, encourage or permit registered

Harris County voters to engage in drive-thru voting who do not satisfy one or more of the statutorily prescribed exceptions to voting inside the polling place.

The obligation to reject insufficient applications to vote curbside is not discretionary; it is mandatory. *See In re Robinson*, 175 S.W.3d at 830. The duty to challenge ineligible curbside voting is not discretionary; it is mandatory. *Id.*

**III. Respondent Hollins is Permitting Curbside Voting to Voters Not Entitled to Vote Curbside in Breach of His Ministerial Duties under the Texas Election Code.**

The Appendix attached to this Petition contains a true and correct copy of Respondent Hollins' announcement that he will, in his official capacity as the Early Voting Clerk, permit curbside voting for all 2.37 million registered voters in Harris County. See App. D At 5. In fact, he started doing so on or about October 13, 2020, the new start date for early in-person voting under Governor Abbott's July 27, 2020 Proclamation. This is a clear and direct violation of his duties to enforce the Texas Election Code. Respondent Hollins has a non-discretionary, ministerial duty to limit curbside voting solely to those registered voters who submit facially valid sworn applications to vote curbside. All other requests to vote curbside must be denied. "Failure to perform his duty subjects [Respondent Hollins] to mandamus." *Bejarano v. Hunter*, 899 S.W.2d 346, 350 (Tex. App. 1995). Absent an order compelling Respondent Hollins to comply with his ministerial duties under the Texas Election

Code, ineligible applicants and/or facially invalid sworn applications will be approved.

**IV. Relators Are Being Harmed, Have Standing, and Will Continue to be Harmed, Absent Relief.**

Respondent Hollins' non-compliance with the law is harming the interests of Relators. With respect to the Harris County Republican Party, demonstrated in the affidavit attached hereto, Respondent's policy of permitting the counting of ineligible and illegal ballots cast curbside, will continue to harm this Relator's mission and purpose, absent relief. Relator Harris County Republican Party has standing to complain because, as an integral part of its public interest mission, this Relator is committed to advancing limited government, lower taxes, less spending, and individual liberty. This Relator's specific goals are to grow the Republican Party by reaching new voters, advance the Platform, which is grounded in conservative principles, and to keep Texas prosperous and free. See App. B.

With respect to Relator Hotze, he 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 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)). As demonstrated in his attached affidavit, Dr. Hotze is a registered voter in Harris County, Texas. See App. A. Dr. Hotze intends to vote in the 2020 General Election and in other future elections in Harris County, Texas. See App. A. Dr. Hotze is very concerned that the Harris County Clerk is allowing a policy to permit curbside voting by persons who are ineligible to vote curbside. If this is permitted, then the outcome of the election will be in doubt. Accordingly, Relator Hotze objects to the casting and to the counting of any ineligible or illegal curbside voting, as the consequence of permitting such activity hurts not only the integrity and the reported outcomes of the election for all of the candidates and all of the voters who voted, but it could also dilute or otherwise diminish and cancel Relator Hotze's casting of a legal vote for the candidates of his choice in the General Election.

The evidence in the Appendix shows that there is an imminent threat that illegal curbside votes will be cast and counted during both Early Voting and Election Day voting in Harris County. Pursuant to Section 221.003(b) of the Texas Election Code, illegal votes are votes which may not properly be cast and counted. Should Respondent Hollins be permitted to continue to allow illegal curbside votes, then the only remedy would be for a defeated candidate to file an election contest after the results of the election are certified by the canvassing authority pursuant to Section



221 of the Texas Election Code. But Relator Hotze has no control over whether an election contest may be filed, as he is not a candidate on the ballot. Irrespective of whether a contest is filed, the harm to Dr. Hotze is the same: his legal vote is at risk of being cancelled by an illegal vote. Dr. Hotze is therefore at risk of having his vote canceled out by an ineligible vote. The risk of injury to his right to vote give Dr. Hotze standing.

With respect to Relator Hemphill, she is a candidate on the November 3, 2020 general election ballot in Harris County, Texas and will be irreparably harmed if this Court allows Respondent's illegal conduct to occur. [App. C] It will be practically impossible to identify the curbside voters who did not qualify under the Texas Election Code and vote during the period allowed by Governor Abbott's July 27, 2020 Proclamation.

**V. Harris County Clerk Hollins is Violating the Texas Election Code**

Respondent Chris Hollins is responsible for administering elections in Harris County. On July 27, 2020, Governor Abbott issued a Proclamation suspending Texas Election Code sections 85.001(a) for the November 3<sup>rd</sup>, 2020 general election.

**a. Texas Election Code Sets Early Voting Dates**

Texas Election Code Sec. 41.001(a)(3) provides uniform election dates:

UNIFORM ELECTION DATES.

(a) Except as otherwise provided by this subchapter, each general or special election in this state shall be held on one of the following dates:

(3) the first Tuesday after the first Monday in November.

The general election is set for November 3, 2020.

The Texas Election Code §85.001 identifies dates for early voting:

Sec. 85.001. EARLY VOTING PERIOD.

(a) The period for early voting by personal appearance begins on the 17th day before election day and continues through the fourth day before election day, except as otherwise provided by this section.

The Texas Election Code contains a provision specifically addressing the situation where it is not possible for early voting to begin on the prescribed date, stating, “If because of the date for which an election is ordered it is not possible to begin early voting by personal appearance on the prescribed date, the early voting period shall begin on the earliest date practicable after the prescribed date as set by the authority ordering the election.” Texas Elect. Code § 85.001(d). Unlike Governor Abbott’s July 27, 2020 Order, the Texas Election Code does not move the date back, instead it sets the new date to begin early voting after the prescribed date. Here, Governor Abbott is unilaterally taking the opposite approach, extending the early voting period by almost a week.

**b. The Texas Election Code Establishes When A Voter Can Participate in Curbside Voting.**

Texas Election Code 64.009(a) provides that a voter who cannot physically enter the polling location without personal assistance or if there is a likelihood of injury to the voters health, the voter can request an election officer to deliver a ballot to the voter at the polling place entrance or curb. Tex. Elec. Code 64.009 (a). Accordingly, the polling location has to be open for curb side voting to occur and, therefore, the date curbside or drive-thru voting begins is the start of in-person early voting. Governor Abbott has unilaterally moved this dates forward from October 19, 2020 to October 13, 2020.

c. **The Plain Language of Texas Election Code §85.001(a) Prohibits Respondent from Allowing Curbside Voting on October 13, 2020.**

Texas statutes are to be interpreted based on their plain language. *See Leland v. Brandal*, 257 S.W.3d 204, 206 (Tex. 2008). The Court presumes the Legislature included each word for a purpose and that words not included were purposefully omitted. *In re M.N.*, 262 S.W.3d 799, 802 (Tex. 2008). It also presumes the Legislature understood and followed the rules of English grammar. Tex. Gov't Code § 311.011; *See also* Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 140 (2012) (describing the presumption as “unshakeable”).

The plain language of Texas Election Code §85.001(a) makes it clear that early voting can begin no earlier than the 17<sup>th</sup> day before election day. *Id.* Texas

Election Code §85.001 does not allow Respondent Collins to move early voting beyond the 17<sup>th</sup> day before the election.

If the Legislature had wanted to give Governor Abbott and thus Respondent the discretion to move up or change the start date for early voting (and thus curbside voting), they could have done so. Instead, the Legislature limited the start of early voting by personal appearance to the 17<sup>th</sup> day before election day, October 19, 2020.

**d. Due to the Early Start Date for Early In Person Voting, and Respondent’s Illegal Definition of Curbside Voting (Drive-Thru Voting), It Will Not be Possible for Poll Watchers to be Present to View the Curbside or Drive-Thru Voting.**

Under Hollins’ scheme, any voter can utilize drive-thru or curbside voting at one of ten (10) locations from October 13, 2020 through election day. This scenario creates an opportunity ripe for fraud and is inconsistent with Texas law regarding curbside voting and will be impossible for poll watchers to view what is happening in the interaction that occurs between the election official and the voter in a curbside voting situation.

**VI. Respondent Hollins’ Conduct and the July 27, 2020 Order Suspending the Texas Election Code are Unconstitutional**

**a. Respondent Hollins’ Conduct Violates Article I, Section 28 of the Texas Constitution**

“The Constitution is not suspended when the government declares a state of disaster.” *In re Abbott*, No. 20-0291, 2020 WL 1943226, at \*1 (Tex. Apr. 23, 2020).

During a pandemic “the judiciary, the other branches of government, and our fellow

citizens—must insist that every action our governments take complies with the Constitution, especially now. If we tolerate unconstitutional government orders during an emergency, whether out of expediency or fear, we abandon the Constitution at the moment we need it most.” *Id.* “When properly called upon, the judicial branch must not shrink from its duty to require the government’s anti-virus orders to comply with the Constitution and the law, no matter the circumstances.” *Id.*

Government power cannot be exercised in conflict with the constitution, even in a pandemic. *In re Abbott*, 2020 WL 1943226 at \*1 (Tex. Apr. 23, 2020). Texas law does not and cannot empower a Governor to unilaterally suspend the laws of the State of Texas. Article I, § 28 of the Texas Constitution states, “No power of suspending laws in this State shall be exercised except by the Legislature.” The Texas Supreme Court has long held that the Legislature cannot delegate “to anyone else the authority to suspend a statute law of the state.” *Brown Cracker & Candy Co. v. City of Dallas*, 104 Tex. 290, 294-95 (1911); *Arroyo v. State*, 69 S.W. 503, 504 (Tex. Crim. App. 1902) (“Under the constitution, the legislature ha[s] no right to delegate its authority . . . to set aside, vacate, suspend, or repeal the general laws of this state.”).

“[P]rior to 1874 this section was as follows: ‘No power of suspending laws in this state shall be exercised, except by the legislature, *or its authority*’” (emphasis added). *Arroyo*, 69 S.W. at 504. This constitutional provision was then specifically

amended to remove the provision allowing the Legislature to delegate its suspension power by “its authority.” *Id.* This was expressly done to remedy “the history of the oppressions which grew out of the suspension of laws by reason of such delegation of legislative authority and the declaration of martial law.” *Id.*

Article I, §28 was created in part in response to then-Governor F.J. Davis “declar[ing] . . . counties under martial law” and depriving of liberty “offenders by court martial in Houston,” George D. Braden, *The Constitution of the State of Texas: An Annotated and Comparative Analysis* 84 (1977). Texas Government Code §418 is therefore unconstitutional on its face because it purports to delegate legislative power to suspend laws to the Governor in contravention of Texas Constitution, Art. I, §28 and Art. II, §1.

As Abbott’s July 27, 2020 Order suspends several provisions of the Texas Election Code, and on its face admits that Abbott is suspending laws in accordance with Texas Gov’t Code Chapter 418, the Order itself is an unconstitutional suspension of the laws and, therefore, violate Article I, §28 of the Texas Constitution and are “null and void.” See *Arroyo*, 69 S.W. at 504. Additionally, to the extent the Texas Disaster Act allows for the suspension of laws by the Governor, it is unconstitutional and void.

The Texas Constitution limits Abbott’s and Respondent Hollins’ authority even in times of crisis or “extraordinary occasions.” See Tex. Const. art IV, §8 (stating on “extraordinary occasions” Governor may convene the Texas Legislature).

If not limited, and if Constitutional rights may be suspended or infringed unilaterally and for unlimited duration whenever a Governor “declares” an emergency, then such rights are wholly illusory. Governor Abbott’s July 27, 2020 Order and Respondent Hollins’ enforcement of same, violates the Texas Constitution and therefore should be declared void and unenforceable.

**b. Hollins’ Conduct Violates Texas Government Code, Chapter 418**

Assuming, arguendo, the Texas Disaster Act is legal, Hollins’ conduct and the July 27, 2020 Order allowing it to begin as early as October 13, 2020 violates Texas Government Code § 418 et seq., the Texas Disaster Act. Specifically, the Disaster Act limits Governor Abbott’s power to those provisions expressly described in the statute. The Disaster Act does not contain any language expressly allowing Governor Abbott to amend the Texas Election Code in the manner he has chosen to do so.

**c. Texas Government Code, Chapter 418, Violates the Texas Constitution**

Texas Government Code Chapter 418 is unconstitutional on its face and as applied. Texas Government Code Chapter 418 is unconstitutional on its face because it is an improper delegation of legislative authority expressly prohibited by Texas Constitution, Art. II, §1. Abbott’s July 27, 2020 Order is facially unconstitutional because Defendant issued the Order pursuant to Chapter 418 (an unconstitutional statute) and because they purport to exercise the power to suspend

laws which authority is reserved exclusively to the legislature. Tex. Const. art. I, §28. As such, Texas Government Code Chapter 418, and all orders issued pursuant thereto, should be declared unconstitutional and rendered null and void.

**d. Abbott’s July 27, 2020 Order Violates the Separation of Powers Doctrine**

The July 27, 2020 Order Respondent Hollins is tasked with implementing/enforcing, violates the separation of powers provision of the Texas Constitution because it suspends laws. Article II, §1 of the Texas Constitution provides that “The powers of the Government of the State of Texas shall be divided into three distinct departments, each of which shall be confided to a separate body of magistracy, to wit: Those which are Legislative to one; those which are Executive to another, and those which are Judicial to another; and no person, or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted.” Tex. Const. art. II, §1. The Texas Constitution vests the Legislature with “legislative power, *i.e.*, the law-making power of the people.” Tex. Const. art. 3, § 1.

Only the Legislature can exercise law-making power, subject to restrictions imposed by the constitution. Tex. Const. art. II, §1. Because of the Texas Constitution’s “explicit prohibition against one government branch exercising a power attached to another,” *Perry v. Del Rio*, 67 S.W.3d 85, 91 (Tex. 2001),



exceptions to the constitutionally-mandated separation of powers may “never be implied in the least; they must be ‘expressly permitted’ by the Constitution itself.” *Fin. Comm'n of Texas v. Norwood*, 418 S.W.3d 566, 570 (Tex. 2013). These restrictions must be expressed or clearly implied. *Jones v. State*, 803 S.W.2d 712, 716 (Tex. Crim. App. 1991) (citing *Gov't Servs. Ins. Underwriters v. Jones*, 368 S.W.2d 560, 563 (Tex. 1963)).

The Legislature may delegate some of its powers to another branch, but only if those powers are not more properly attached to the legislature by Constitutional mandate. For example, Legislative power cannot be delegated to the executive branch, either directly or to an executive agency. *State v. Rhine*, 297 S.W.3d 301, 306 (Tex. Crim. App. 2009). The issue becomes a question of the point at which delegation becomes unconstitutional. *Id.* The Texas Supreme Court has described the problem: "the debate over unconstitutional delegation becomes a debate not over a point of principle but over a question of degree." *Tex. Boll Weevil Eradication Found., Inc.*, 952 S.W.2d 454, 466 (Tex. 1997).

The Texas Court of Criminal Appeals in *Ex parte Granviel*, 561 S.W.2d 503 (Tex. Crim. App. 1978), stated that sufficient standards are necessary to keep the degree of delegated discretion below the level of legislating. The existence of an area for exercise of discretion by the executive branch requires that standards are formulated for guidance and there is limited discretion. *Ex parte Granviel*, 561

S.W.2d at 514. The statute must be sufficiently complete to accomplish the regulation of the particular matters falling within the legislature's jurisdiction, the matters of detail that are reasonably necessary for the ultimate application, operation and enforcement of the law may be expressly delegated to the authority charged with the administration of the statute. *Ex parte Granviel*, 561 S.W.2d at 514. Therefore, if the Legislature has not provided sufficient standards to guide the executive's discretion and the delegated power is legislative, that executive has been granted a power that is more properly attached to the legislature and the delegation is an unconstitutional violation of separation of powers. *State v. Rhine*, 297 S.W.3d 306 (Tex. Crim. App. 2019).

Texas Government Code Chapter 418 not only does not provide robust, specific standards related to delegation of legislative authority, it provides *NO* standards to guide Defendant's discretion when identifying penalties, including fines and incarceration.

## **VII. 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. Waler*, 679 S.W.2d 484, 485 (Tex. 1984))

Texas Election Code Section 273.081 allows “injunctive relief” to “prevent” violations from occurring. Relators seek injunctive and or mandamus relief

prohibiting Respondent Hollins from engaging in his illegal “drive-thru” voting programs. Alternatively, Relators seek affirmative compliance with ministerial duties. Relators further seek mandamus and/or injunctive relief prohibiting Hollins from engaging in curbside as defined by the Texas Election Code from October 13 until October 19, 2020. Relators further request this Court enjoin Governor Abbott from further implementing his July 27, 2020 Proclamation and any other executive orders suspending laws under the Texas Disaster Act.

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.

**Prayer**

For these reasons, Realtors respectfully request that the Court grant this Petition for Writ of Mandamus and enter an order compelling Respondent Hollins to do the following:

1. Review all curbside voting applications submitted by an person requesting to vote curbside during either Early Voting or Election Day Voting in Harris County for facial compliance with Texas Election Code sections 64.009, 82.002, and 1104.001-104.005, as required by the Texas Election Code Sections 83.002 and 014.001;
2. Reject all curbside voting applications submitted by any person requesting to vote curbside during either Early Voting or Election Day Voting in Harris County which lack facial compliance with Texas Election Code Sections 64.009, 82.002, and 104.001-104.005, as required by the Texas Election Code Sections 83.002 and 104.001;
3. Reject any curbside voting efforts during either Early Voting or Election Day Voting in Harris County which are not in compliance with Texas Election Code Sections 64.009, 82.002, and 104.001-104.004, as required by the Texas Election Code Sections 83.002 and 104.001; and
4. Require Respondent to only allow curbside voting as defined by the Texas Election Code to begin on October 19, 2020 and reject the authority Respondent claims as a basis for beginning his curbside

voting on October 13, 2020-the Texas Disaster Act and Governor Abbott's July 27 2020 Proclamation suspending the Texas Election Code.

Dated: October 15, 2020

Respectfully submitted,

*/s/ Jared R. Woodfill*

JARED R. WOODFILL  
State Bar No. 00788715  
Woodfill Law Firm, P.C.  
3 Riverway, Suite 750  
Houston, Texas 77056  
P:(713) 751-3080  
Fax: (713) 751-3058  
woodfillservice@gmail.com  
*Counsel for Relators*

**TRAP 52.3(J) CERTIFICATION**

Pursuant to TRAP 52.3(j), the undersigned certifies that he has reviewed the above Petition for Writ of Mandamus and concluded that every factual statement in the petition is supported by competent evidence included in the appendix and or the record.

/s/ Jared Woodfill

Jared Woodfill

**CERTIFICATE OF SERVICE**

By affixing my signature above, I, Jared Woodfill, hereby certify that a true and correct copy of the above Original Petition for Writ of Mandamus has been delivered via electronic mail to the parties below on the 15<sup>th</sup> day of October, 2020.

/s/Jared Woodfill

Jared Woodfill

## CERTIFICATE OF COMPLIANCE

I, Jared Woodfill, Counsel for Relators certify that this document was generated by a computer using Microsoft Word which indicates that the word count of this document is 7,454. The typeset is Times New Roman 14 pt for text.

/s/ Jared Woodfill

Jared Woodfill



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REPORTER'S RECORD  
VOLUME 1 OF 1  
CAUSE NO. 2020-52383  
COURT OF APPEALS NO. 14-20-00627-70

FILED IN  
14th COURT OF APPEALS  
HOUSTON, TEXAS  
9/14/2020 9:09:53 PM

THE STATE OF TEXAS ) IN THE DISTRICT COURT OF  
) )  
) ) CHRISTOPHER A. PRINE  
) ) Clerk  
VS. )  
) HARRIS COUNTY, TEXAS  
) )  
CHRIS HOLLINS, in his )  
official capacity as )  
Harris County Clerk ) 127TH JUDICIAL DISTRICT

\*\*\*\*\*

**TEMPORARY INJUNCTION HEARING**

VOLUME 1 OF 1

SEPTEMBER 9, 2020

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On the 9th day of September, 2020, the following  
proceedings came on to be held in the above-titled and  
numbered cause before the Honorable R. K. Sandill, Judge  
presiding, held in Houston, Harris County, Texas.

Proceedings reported by Certified Shorthand  
Reporter and Machine Shorthand/Computer-Aided  
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**A P P E A R A N C E S**

FOR THE PLAINTIFF:

Mr. Charles K. Eldred SBOT 00793681  
Ms. Kathleen T. Hunker SBOT 24118415  
ATTORNEY GENERAL OF TEXAS  
P.O. Box 12548  
Austin, Texas 78711

FOR THE DEFENDANTS:

Ms. Susan Hays - SBOT 24002249  
LAW OFFICE OF SUSAN HAYS, PC  
P.O. Box 41647  
Austin, Texas 78704  
Tel: (214) 557-4819  
Fax: (214) 432-8273  
E-mail: Hayslaw@me.com

Mr. Cameron Hatzel - SBOT 24074373  
1019 Congress Street, Floor 15  
Houston, Texas 77002

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1 obligates the necessity.

2 Q. Okay. A few other things, Judge. Is it true  
3 that vote by mail applications are public information  
4 after the election?

5 A. That is correct. 86.01 forces that an  
6 application for a ballot by mail is an open record after  
7 the first election that it's used for.

8 Q. And, of course, they'll be redacting personal  
9 information that if someone asks for -- if I apply to  
10 vote by mail and someone asks for it, will my personal  
11 information be redacted before someone gives it to me?

12 A. Well, confidential information will be redacted  
13 which usually on an application for ballot by mail is  
14 just the date of birth.

15 Q. Okay. So the point being that if I -- if I  
16 fraudulently fill out an application form and I mail it  
17 in and I get a ballot and I vote, it's possible I could  
18 get caught; would you agree?

19 A. Absolutely.

20 Q. And, in fact, I think you mentioned this  
21 already, the Secretary of State's Office has gotten some  
22 referrals for that very thing; isn't that true?

23 A. That's correct.

24 Q. Let me change gears here.

25 What is your opinion of the Harris County

1 Clerk's efforts in ensuring in-person voting for this  
2 election?

3 A. I have been very, very pleased with all of  
4 Texas counties and their creativity and their  
5 innovations in coming up with ways to -- for voters to  
6 vote safely in person. And what I've been reading about  
7 from Harris County's plans for this November's election  
8 go above and beyond.

9 Q. Isn't it true that Harris County plans to have  
10 a drive-thru voting procedure?

11 A. I believe so. I think they might have one or  
12 -- more than one but I don't know for sure. You would  
13 have to ask Mr. Hollins.

14 Q. Okay. Have people complained to the Secretary  
15 of State's Office about the drive-thru procedure?

16 A. Not yet.

17 Q. Okay. I'll move on.

18 A. They probably will.

19 Q. Well, if someone did complain about the  
20 drive-thru procedure would you -- do you have any  
21 opinion about if that's allowed into the law or not?

22 A. You know, it's -- it's a creative approach that  
23 is probably okay legally. You know, the requirement is  
24 that polling places be located in a building so what  
25 we've told counties who want to try this is that they

1 need to have the location associated with a physical  
2 building and that they need to take whoever shows up at  
3 that location, whether they're walking, riding a bicycle  
4 or driving a car, they need to be able to provide all of  
5 those folks with an opportunity to vote.

6 Q. Okay. And to your knowledge is there any  
7 particular reason to justify -- let me try that again.

8 Is there going to be -- are there going to  
9 be problems with in-person voting that would justify a  
10 need to send vote by mail applications to everybody as  
11 far as you know?

12 A. I'm convinced that the counties have got a plan  
13 for safe in-person voting. So voters who qualify to  
14 vote by mail and want to vote by mail then they should.  
15 And voters who want to vote in person, we would  
16 encourage them to do so. It'll be safe for them to do  
17 it and the counties will have a good experience for  
18 those voters.

19 I would, if I have the opportunity,  
20 encourage voters to vote during early voting and to vote  
21 in the middle of the week during early voting to have  
22 the most contact-free experience. The best opportunity  
23 to vote quickly and not encounter a great number of  
24 other folks.

25 Q. And just to be sure you're talking about

1 voters and many of whom are not -- sorry, some of who  
2 may not be qualified to vote by mail would return those  
3 at a much lower rate.

4 THE COURT: Or, I mean, who may never check  
5 their mail, right? I mean, I'm just -- you know --

6 MR. HOLLINS: Yeah, exactly. Who might not  
7 ever see it, might toss it when it gets there.

8 THE COURT: And that was anecdotal for my  
9 life so I apologize for bringing that in.

10 Okay. Let's do this -- Mr. Hatzel, how  
11 much more do you have for Mr. Hollins?

12 MR. HATZEL: I'm ready for a break but not  
13 much more, ten minutes maybe.

14 THE COURT: Do you want to take your break  
15 now or do you want to do your ten minutes and then  
16 break?

17 MR. HATZEL: I'd prefer to take a break.

18 THE COURT: You seem like you needed a  
19 break. Let's go ahead and -- it's 2:55, let's come back  
20 at 310.

21 MR. HATZEL: Thank you.

22 (Break taken.)

23 THE COURT: All right, great. Mr. Hatzel?

24 Q. BY MR. HATZEL: Yes.

25 Mr. Hollins, as the Early Election Clerk of

1 Harris County the Election Code gives you the authority  
2 to conduct and manage early voting. How does sending  
3 applications to vote by mail fit into that statutory  
4 scheme?

5 A. I mean, I think it fits directly into my  
6 authority to conduct and manage early voting. And so as  
7 the Early Voting Clerk, I manage both in-person voting  
8 and vote by mail voting. And with that administration,  
9 you know, I sort of look at that broadly and I also look  
10 at them not necessarily independently but as connected  
11 to one another. And so this goes from everything --  
12 it's really broad. It goes from choosing the number of  
13 locations that we have, choosing where those locations  
14 are, choosing how many machines we're going to deploy  
15 across the entire county and choosing exactly how many  
16 machines each specific location will have, choosing how  
17 many number of you know staff, judges and clerks that  
18 each location would have, educating voters, you know,  
19 ensuring that voter has access to the franchise, both,  
20 you know, in person -- providing that information,  
21 making sure the locations are near to them. In this  
22 scenario, making sure that the locations are as safe as  
23 they can be, providing new and innovated ways to vote  
24 like drive-thru voting, like extended voting hours which  
25 we're going to have until 10:00 p.m. on multiple days



1 and we're going to have 24-hour voting on one day to  
2 ensure that shift workers and first responders and folks  
3 with different family and work obligations have that  
4 opportunity to cast their votes.

5           And so sending applications to vote by mail  
6 along with, you know, information about who qualifies to  
7 vote by mail and who does not to educate the voters of  
8 course is squarely within my -- my duty and my  
9 responsibility and my authority to conduct and manage  
10 the election.

11           Q. And speaking also on the point about the health  
12 and safety of voting -- of voting by mail for certain --  
13 certain voters, I wanted to -- well, first of all, the  
14 application -- the application to vote by mail, that  
15 mailer includes a link to your website *Harrisvotes/cdc*,  
16 does it not?

17           A. It does. It's says -- yes, it says to read  
18 guidance from the Center for Disease Control and  
19 Prevention on which medical conditions could put people  
20 at increased risk of severe illness from Covid 19 please  
21 visit *Harrisvotes.com/cdc*.

22           Q. And what I would like to do is I'll share with  
23 you our Defendant's Exhibit Number 2, and this is a copy  
24 of that website that you are directed to when you go to  
25 *Harrisvotes.com/cdc*. And the title of this website as

1 have a prosecutorial discretion in this matter and your  
2 office does. So, I mean, I don't get to make those  
3 decisions but you're -- what I'm looking at is -- I've  
4 got two exhibits in front of me that are part of today's  
5 record. One is the Texas Secretary of State that  
6 basically says, lays out the four issues and then you've  
7 got this that says, hey, this is the definition by the  
8 Texas Supreme Court, go figure it out for yourself.

9 MS. HUNKER: The county is more than  
10 welcome to put the front half of that sheet of paper in  
11 everyone's mailbox in Harris County. It is only the  
12 inclusion of that application that the State objects to.

13 THE COURT: Okay.

14 MS. HUNKER: The information that's  
15 educational we, in fact, encourage the county to  
16 provide.

17 THE COURT: No, I understand that. I mean,  
18 I understand for anyone that's under the age of 65 y'all  
19 have an objection.

20 Mr. Eldred?

21 Q. BY MR. ELDRED: Let's wrap it up a high note.  
22 Maybe give you a chance to brag about how great and how  
23 safe your in-person voting is. Is in-person voting  
24 going to be safe in Harris County this election?

25 A. That is what we're working our hardest to try

1 and ensure.

2 Q. Okay. And would you agree we've mentioned a  
3 few of these before that Harris County has accomplished  
4 some maybe new ideas such as 24-hour voting, curbside  
5 voting, drive-thru voting, try to make that even more  
6 safe and more effective, is that the goal of all those  
7 projects?

8 A. Absolutely.

9 Q. Okay. I'm going to pass the witness.

10 THE COURT: Okay. Mr. Hatzel, anything  
11 else?

12 MR. HATZEL: Just one quick question, your  
13 Honor.

14 (REDIRECT EXAMINATION BY MR. HATZEL)

15 Q. Mr. Hollins, when you're managing and  
16 conducting early voting as Harris County's Early  
17 Election Clerk, what are some of the things that you do  
18 that are outside of the Election Code?

19 A. And when you mean outside of Election Code, do  
20 you mean like not explicitly granted to me in the  
21 Election Code?

22 Q. Correct.

23 A. I think there are a number of examples.  
24 Drive-thru voting is a prime exact. There's no --  
25 there's nothing that in anyway mentions drive-thru

Case 4:11-cv-00039-2020 General and Special Elections / Early Voting Schedule Page 1 of 2  
 Horario para Votar Temprano en las Elecciones Generales y Especiales del 3 de noviembre de 2020  
 Lịch Trình Bầu Cử Sớm Các Cuộc Tổng Tuyển Cử và Bầu Cử Đặc Biệt Ngày 3 Tháng 11, 2020  
 2020年11月3日普選與特選 - 提前投票日程表

Early Voting Hours of Operation

October 13 - 17: 7:00 a.m. - 7:00 p.m.  
 October 18: 12:00 p.m. - 7:00 p.m.  
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 October 26: 7:00 a.m. - 7:00 p.m.  
 October 27-29: 7:00 a.m. - 10:00 p.m.  
 \*October 29th: 24-hour voting at seven locations  
 October 30: 7:00 a.m. - 7:00 p.m.

Horas de Funcionamiento

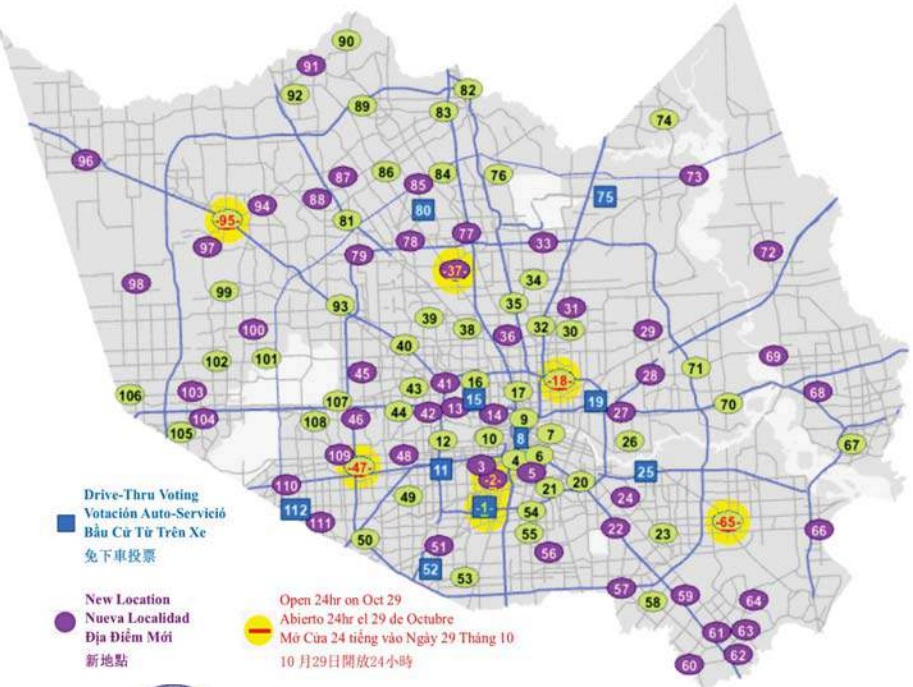
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 27 - 29 de octubre: 7:00 a.m. - 10:00 p.m.  
 \*29 de octubre: votación las 24 horas en siete lugares.  
 30 de octubre: 7:00 a.m. - 7:00 p.m.

Giờ Mở Cửa Bầu Cử Sớm

Ngày 13 - 17 Tháng 10: 7:00 sáng - 7:00 tối  
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 Ngày 27 - 29 Tháng 10: 7:00 sáng - 10:00 tối  
 \*29 Tháng 10: có bảy địa điểm bầu cử sẽ mở cửa 24 tiếng đồng hồ  
 Ngày 30 Tháng 10: 7:00 sáng - 7:00 tối

提前投票日期及時間

10月13日 - 10月17日: 上午7時 - 晚上7時  
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 \*10月29日: 在七個地點進行24小時投票  
 10月30日: 上午7時 - 晚上7時



CHRIS HOLLINS

Harris County Clerk - Secretario del Condado de Harris  
 Giám Đốc Nha Hành Chánh Quận Harris - Harris 縣行政書記官

1. **NRG Arena - Hall D**  
1 NRG Pkwy, Houston, 77054
2. **John P McGovern Texas Medical Ctr Commons - 2nd Floor, Food Court**  
6550 Bertner Avenue, Houston, 77030
3. \* **Rice University**  
2050 University, Houston, 77005
4. **Texas Southern University**  
3100 Cleburne Street, Houston, 77004
5. \* **Wheeler Avenue Baptist Church - Gymnasium**  
3826 Wheeler Avenue, Houston, 77004
6. **University of Houston - Student Center, Room 214 Space City**  
4455 University Drive, Houston, TX 77004
7. **Neighborhood Centers Inc Ripley House Campus - Gym**  
4410 Navigation Boulevard, Houston, 77011
8. **Toyota Center - VIP A and B**  
1510 Polk Street, Houston, 77002
9. **County Attorney Conference Center - Conference Room**  
1019 Congress Avenue, Houston, 77002
10. **Metropolitan MultiService Center - MMSL AR 1&2 and gym**  
1475 West Gray Street, Houston, 77019
11. **HCC West Loop South - Auditorium**  
5601 West Loop South, Houston, 77081
12. **Hampton Inn Galleria - Uptown Room**  
4500 Post Oak Parkway, Houston, 77027
13. \* **Hampton Inn and Suites - Bayou City Ballroom**  
5820 Katy Freeway, Houston, 77007
14. \* **West End Multi Service Center - Auditorium Building 3**  
170 Heights Boulevard, Houston, 77007
15. **Resurrection Metropolitan Comm. Church - Classrooms 106 & 108**  
2025 West 11th Street, Houston, 77008
16. **SPJST Lodge Num 88 - Ballroom**  
1435 Beall Street, Houston, 77008
17. **Moody Park Community Center - Meeting room**  
3725 Fulton Street, Houston, 77009
18. **Kashmere MultiService Center - Auditorium**  
4802 Lockwood Drive, Houston, 77026
19. **Houston Food Bank - Community Room**  
535 Portwall Street, Houston, 77029
20. **HCC Southeast College Building C Parking Garage - Room 108**  
6960 Rustic Street, Houston, 77087
21. **Shrine of The Black Madonna Cultural and Event Ctr - Main Floor**  
5309 Martin Luther King Boulevard, Houston, 77021
22. \* **Marriott Houston South at Hobby Airport - Pasadena Room**  
9100 Gulf Freeway, Houston, 77017
23. **BakerRipley Cleveland Neighborhood Center - Gym**  
720 Fairmont Parkway, Pasadena, 77504
24. \* **Iglesia Una Luz en Tu Camino - Meeting Room**  
9045 Howard Drive, Houston, 77017
25. **John Phelps Courthouse - Training Room**  
101 South Richey Street, Pasadena, 77506
26. **Alvin D Baggett Community Center - Conference Room 2**  
1302 Keene Street, Galena Park, 77547
27. \* **Milton Lusk Activity Center - Basketball Court**  
1022 Mercury Drive, Houston, 77029
28. \* **Harris County Cultural Arts Center**  
13334 Wallisville Road, Houston, 77044
29. \* **C E King Middle School**  
8530 C E King Parkway, Houston, 77044
30. **Northeast Multi Service Center - Auditorium**  
9720 Spaulding Street, Houston, 77016
31. \* **HCC North Forest Campus - Community Room**  
6010 Little York Road, Houston, 77016
32. **Anclamar's W Reception Hall A - Hall A**  
10330 Eastex Fwy, Houston, 77093
33. \* **Holiday Inn Intercontinental Airport Hotel**  
15222 John F Kennedy Boulevard, Houston, 77032
34. **BakerRipley East Aldine Campus - Reunion Hall Welcome Center**  
3000 Aldine Mail Route Road, Houston, 77039
35. **Hardy Street Senior Citizens Center - Auditorium**  
11901 West Hardy Road, Houston, 77076
36. \* **Clark Park Community Center - Main MultiPurpose Room**  
9718 Clark Road, Houston, 77076
37. \* **Victory Houston - Large Worship Area**  
809 West Road, Houston, 77038
38. **Acres Homes Multi Service Center - Auditorium**  
6719 West Montgomery Road, Houston, 77091
39. **Lone Star College Victory Center - VC 102 and VC 120**  
4141 Victory Drive, Houston, 77088
40. **The Grand Tuscan Hotel - The Plaza**  
12801 Northwest Freeway, Houston, 77040
41. \* **Sheraton Houston Brookhollow Hotel - Magnolia Room**  
3000 North Loop West Freeway, Houston, 77092
42. \* **Crowne Plaza Houston Galleria - Laurel Ballroom**  
7611 Katy Freeway, Houston, 77024
43. **Trini Mendenhall Community Center - Large auditorium**  
1414 Wirt Road, Houston, 77055
44. **First Congregational Church - Assembly Room**  
10840 Beinhorn Road, Houston, 77024
45. \* **John Knox Presbyterian Church - Education Building Classroom 11**  
2525 Gessner Road, Houston, 77080
46. \* **Masjid El Farooq**  
1207 Conrad Sauer, Houston, 77043
47. **Tracy Gee Community Center - Room 1 and 2**  
3599 Westcenter Drive, Houston, 77042
48. \* **Unity of Houston Annex - Annex**  
2819 Hillcroft Street, Houston, 77057
49. **Bayland Park Community Center - Auditorium**  
6400 Bissonnet Street, Houston, 77074
50. **Raindrop Turkish House - Ballroom**  
9301 West Bellfort Boulevard, Houston, 77031
51. \* **The Power Center - Green Room**  
12401 South Post Oak Road, Houston, 77045
52. **Kingdom Builders Center - Great Room**  
6011 West Orem Drive, Houston, 77085
53. **Hiram Clarke Multi Service Center - Auditorium**  
3810 West Fuqua Street, Houston, 77045
54. **J J Roberson Family Life Center - Gym**  
4810 Redbud, Houston, 77033
55. **Sunnyside Multi Service Center - Auditorium**  
9314 Cullen Boulevard, Houston, 77051
56. \* **Saint Philip Neri Catholic Church - Parish Hall**  
10960 Martin Luther King Boulevard, Houston, 77048
57. \* **El Franco Lee Community Center - Auditorium**  
9500 Hall Road, Houston, 77089
58. **Harris County Scarsdale Annex - Room D**  
10851 Scarsdale Boulevard, Houston, 77089

Case 4:11-cv-00039-2020 General and Special Elections / Early Voting Schedule Page 2 of 2  
 Horario para Votar Temprano en las Elecciones Generales y Especiales del 3 de noviembre de 2020  
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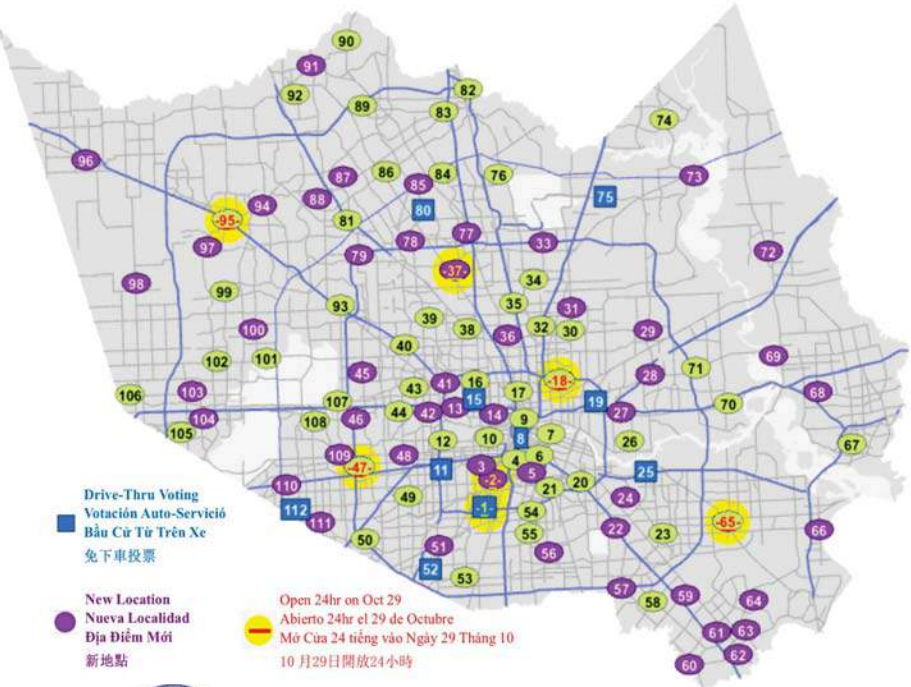
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Drive-Thru Voting  
 Votación Auto-Servicio  
 Bầu Cử Từ Trên Xe  
 免下車投票

New Location  
 Nueva Localidad  
 Địa Điểm Mới  
 新地點

Open 24hr on Oct 29  
 Abierto 24hr el 29 de Octubre  
 Mở Cửa 24 tiếng vào Ngày 29 Tháng 10  
 10月29日開放24小時



CHRIS HOLLINS

Harris County Clerk - Secretario del Condado de Harris  
 Giám Đốc Nha Hành Chánh Quận Harris - Harris 縣行政書記官

- 59. \* **MultiCultural Center - Banquet Halls**  
951 Tristar Drive, Webster, 77598
- 60. \* **Forest Bend Homeowners Association Inc - Main room**  
4300 Laura Leigh Lane, Friendswood, 77546
- 61. \* **Pipers Meadow Community Center - Community Center**  
15920 Pipers View Drive, Webster, 77598
- 62. \* **Webster Civic Center**  
311 Pennsylvania Avenue, Webster, 77598
- 63. \* **Clear Lake Islamic Center - Community Hall**  
17511 El Camino Real, Houston, 77058
- 64. \* **University of Houston Clear Lake - Garden Room**  
2700 Bay Area Boulevard, Houston, 77058
- 65. - **East Harris County Activity Center - Big Room**  
7340 Spencer Highway, Pasadena, 77505
- 66. \* **La Porte Recreation and Fitness Center - Senior Center**  
1322 South Broadway, La Porte, 77571
- 67. **Lee College - Gymnasium**  
200 Lee Drive, Baytown, 77520
- 68. \* **Coady Baptist Church - Fellowship Hall**  
5606 Wade Road, Baytown, 77521
- 69. \* **San Jacinto Community Center - Meeting Room**  
604 Highland Woods Drive, Highlands, 77562
- 70. **Martin Flukinger Community Center - Large Assembly Room**  
16003 Lorenzo Street, Channelview, 77530
- 71. **North Channel Branch Library - Meeting Room**  
15741 Wallisville Road, Houston, 77049
- 72. \* **Crosby Community Center - Large Assembly Room**  
409 Hare Road, Crosby, 77532
- 73. \* **Lake Houston Church of Christ - Fellowship Hall [Sunday: 12:00 - 6:00 pm]**  
8003 Farmingham Road, Humble, 77346
- 74. **Kingwood Community Center - Auditorium**  
4102 Rustic Woods Drive, Kingwood, 77345
- 75. ■ **Humble Civic Center - Ballrooms 2 and 3**  
8233 Will Clayton Pkwy, Humble, 77338
- 76. **Lone Star College North Harris - YMCA Building**  
2700 W W Thorne Drive, Houston, 77073
- 77. \* **Green House International Church - Church**  
200 West Greens Road, Houston, 77067
- 78. \* **New Destiny Praise and Worship Center - Main Room Worship**  
4170 West Greens Road, Houston, 77066 [Sunday, October 18: 1:00 - 7:00 pm]
- 79. \* **Fairfield Inn and Suites NW Willowbrook - Fairfield Ranch Mtg room**  
10825 North Gessner, Houston, 77064
- 80. ■ **Fallbrook Church - Brooks Sports Gym**  
12512 Walters Road, Houston, 77014
- 81. **Prairie View A&M University Northwest - Room 107**  
9449 Grant Road, Houston, 77070
- 82. **To Be Determined**
- 83. **Spring First Church - Main Sanctuary [Sunday: 1:00 - 7:00 pm]**  
1851 Spring Cypress Road, Spring, 77388
- 84. **Hosanna Lutheran Church - Fellowship Hall Room 5**  
16526 Ella Blvd, Houston, 77090
- 85. \* **Church of Christ on Bammel Road - Kaleo Building**  
2700 Cypress Creek Parkway, Houston, 77068
- 86. **HCPL Barbara Bush Branch - Multipurpose Room**  
6817 Cypresswood Drive, Spring, 77379
- 87. \* **Masjid AlSalam**  
16700 Old Louetta Road, Spring, 77379
- 88. \* **Lakewood Residents Club - Dance floor**  
15006 Lakewood Forest Drive, Houston, 77070
- 89. **Klein Multipurpose Center - Room 402**  
7500 FM 2920, Spring, 77379
- 90. **Lone Star College Creekside - Room 116**  
8747 West New Harmony Trail, Tomball, 77375
- 91. \* **Samuel Matthews Park Community Center**  
1728 East Hufsmith Road, Tomball, 77375
- 92. **Tomball Public Works Building - Training Room**  
501B James Street, Tomball, 77375
- 93. **City Jersey Village Municipal Government Center - Civic Center Auditorium**  
16327 Lakeview Drive, Houston, 77040
- 94. \* **Saint John Lutheran Church and School - Gym**  
15235 Spring Cypress Road, Cypress, 77429
- 95. - **Juergens Hall Community Center - Dance Hall**  
26026 Hempstead Highway, Cypress, 77429
- 96. \* **Hockley Community Center**  
28515 Old Washington Road, Hockley, 77447
- 97. \* **Lakeland Activity Center - Sandpiper Room and Crane**  
16902 Bridgeland Landing, Cypress, TX 77433
- 98. \* **John Paul Landing Environmental Education Center**  
9950 Katy Hockley Road, Cypress, 77433
- 99. **Richard and Meg Weekley Community Center - Room 300**  
8440 Greenhouse Road, Cypress, 77433
- 100. \* **ISGH Bear Creek Community Center - Community Center**  
17250 Coventry Park Drive, Houston, 77084
- 101. **Katherine Tyra Branch Library - Meeting Room**  
16719 Clay Road, Houston, 77084
- 102. **Lone Star College Cypress Center - Room 105, 106, 107**  
19710 Clay Road, Katy, 77449
- 103. \* **Morton Ranch High School - PAC Lobby**  
21000 Franz Road, Katy, 77449
- 104. \* **James E Taylor High School - Auditorium Lobby**  
20700 Kingsland Boulevard, Katy, 77450
- 105. **Harris County MUD 81 Building - Great Room**  
805 Hidden Canyon Road, Katy, 77450
- 106. **Katy Branch Harris County Public Library - Meeting room**  
5414 Franz Road, Katy, 77493
- 107. **Encourager Church - Gym**  
10950 Katy Freeway, Houston, 77043
- 108. **Nottingham Park Building - Meeting room**  
926 Country Place Drive, Houston, 77079
- 109. \* **Comfort Suites Westchase - Meeting Room**  
2830 Wilcrest Drive, Houston, 77042
- 110. \* **Mission Bend Islamic Center**  
6233 Tres Lagunas, Houston, 77083
- 111. \* **Alief Regional Library**  
7979 South Kirkwood Road, Houston, 77072
- 112. ■ **Houston Community College Alief Center - Room 157**  
13803 Bissonnet St, Houston, 77083



For more information  
 Para mas informacion:  
 Để biết thêm chi tiết:  
 詳情請聯絡:  
[www.HarrisVotes.com](http://www.HarrisVotes.com)  
 713.755.6965

STATE of TEXAS

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COUNTY OF HARRIS

**DECLARATION OF MICHAEL WINN,  
DIRECTOR, ELECTIONS ADMINISTRATION  
HARRIS COUNTY CLERK’S OFFICE**

My name is Michael Winn. My date of birth is \_\_\_\_\_ and my address is 1001 Preston, Houston, Harris County, Texas, 77002. I declare under penalty of perjury that the foregoing is true and correct:

1. I am submitting this declaration and its attachments to explain certain facts regarding polling locations on one hand and methods of accessing voting for of those with certain disabilities on the other.

2. I have worked in elections administration for more than twenty-five years. I began my elections career in Bexar County in 1997. Then I moved to Travis County where I started as an election specialist and became the Assistant Elections Administrator in 2008. In 2010, I was promoted to Elections Administrator where I served until 2018. In 2018, I moved to Harris County to take to job as the Administrator of Elections. As a result, I have served in various levels of elections administration in the three largest counties in Texas assisting more than 27% of the Texas population to vote.

3. I hold a certificate as a Certified Election Administrator from the International Association of Government Officials and am very active in my profession serving in multiple elections administration organizations. I served as the President of the International Association of Clerks, Records, Election Officials and Treasurers (“IACREOT”) in 2015. I currently serve on the Board of Advisors to the Federal Elections Assistance Commission and have served in the following positions since my initial appointment in 2015: Secretary, Vice-President, and Board Chair.

4. I am also a member of the National Association of Elections Administrators (a.k.a. the Elections Center, <https://www.electioncenter.org>) where I also achieved certified election administrator status.

5. I serve on the bipartisan coalition committee of national elections administrators. We meet regularly to discuss challenges facing elections administration. I have been appointed on the International Association of Government Officials (“IAGO”) on the Government Coordinating Council of governments of federal, state, and local task force on election matters. I also serve as a representative on the Council of State Governments where we look at initiatives of overseas voting by mail.

6. With my experience and training, I am very familiar with Texas election law and practices.

7. Attached to this Declaration are true and correct copies of the most recent Daily Early Voting record reflecting unofficial counts through October 29, 2020.

8. On Election Day Harris County will have approximately 800 polling locations. The physical layout and facilities in each will vary widely although every single location will offer curbside voting as Texas law requires. *See* TEX. ELEC. CODE § 64.009. In addition to the statutory requirements for curbside voting, Harris County is under a settlement agreement with the United States Department of Justice in part due to its past failures to adequately accommodate people with disabilities and comply with the Americans with Disabilities Act (“ADA”). *See* [https://www.ada.gov/harris\\_co\\_sa.html](https://www.ada.gov/harris_co_sa.html). This includes providing “effective curbside voting” and signage outside each polling location.

9. No application is required for curbside voting. The voter merely rings a buzzer and an election worker comes to the voter’s car outside the polling location with a special ADA-compliant voting machine. Voters are not questioned about their health status or the nature of their disability.

10. Drive-thru voting is a different physical layout of an in-person polling location, not a special accommodation for people with disabilities who cannot physically enter the polling places, where all election laws, including the accommodation of poll watchers, are in force. Videos available online describe the process and show the outside of the drive-thru voting location at NRG Arena. *See*



<https://twitter.com/TXLA/status/1316378479890489346> (Curbside Larry demonstrates the process); <https://twitter.com/Tejasimo/status/1321994048710782976> (video of overall polling location).

11. Chapter 104 has nothing to do with the role of an early voting clerk, drive-thru voting, or curbside voting under Section 64.009, but instead allows a voter whose precinct polling place uses a voting machine and who has a sickness or physical condition that prevents the voter from using that machine to vote at the *main* early voting polling place on Election Day using a mail in ballot. For this election the main early voting location is the NRG Arena. Modern voting systems and accessibility laws like the ADA, better physical facilities for voting, and the universal requirement for curbside voting make Chapter 104 largely obsolete and rarely used. In the course of my decades-long career administering elections I cannot recall an instance of this chapter being used.

12. Tent structures similar to those used for nine of the drive-thru voting are being used at walk-in voting centers to increase capacity. For example, to alleviate lines at the Barbara Bush Library (“HCPL Barbara Bush Branch” on the EV Daily Record), the County Clerk’s Office constructed tents so that additional voting machines can be placed outside the permanent building. This change is part of our efforts to address overcrowding and long lines at voting centers whenever possible so that voters are not discouraged from voting. Since that change, that very

popular polling location is partially inside and partially outside the permanent building.

Executed in Harris County, State of Texas, on the 30th day of October, 2020.

A handwritten signature in black ink, appearing to read "Michael Winn", written over a horizontal line.

Michael Winn  
Declarant



6. On August 17, 2020, pursuant to 4.001 of the Texas Elections Code, I formally notified the Harris County Commissioners Court of the General and Special Elections to be held on November 3, 2020, and requested approval of the election details. The election details included the ten (10) drive-thru voting locations referenced above and the addresses of each location. The Commissioners Court, which is made up of two (2) Republicans and three (3) Democrats, unanimously approved all election details, including the number and site of every drive-thru voting location.
  
7. Early voting was conducted in Harris County from October 13, 2020 through October 30, 2020. During that time, 1,264,811 Harris County residents voted in person, 126,912 of whom used drive-thru voting. 170,410 Harris County residents voted by mail, for a total of 1,435,221 votes cast.

Executed in Harris County, State of Texas, on the 1<sup>st</sup> day of November, 2020.



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Christopher G. Hollins



**CHRIS HOLLINS**  
Harris County Clerk



**FOR IMMEDIATE RELEASE**  
July 22, 2020

**CONTACT:** Communications & Voter Outreach  
[County.Clerk@cco.hctx.net](mailto:County.Clerk@cco.hctx.net)  
(713) 274-9550

## **Harris County Clerk's Drive-Thru Voting Pilot Is Highly Successful** *Voters Would Overwhelmingly Use the Service Again and Recommend It to Others*

**(Houston, TX)** — On Friday, July 10, the last day of Early Voting during the July Primary Runoff Elections, the Harris County Clerk's Office piloted Drive-Thru Voting as an additional option for voters to cast their ballot safely in the midst of the COVID-19 pandemic. This was the first time in Texas history that an elections office held Drive-Thru Voting, where many voters at a time could cast their ballot without leaving the comfort and safety of their car.

"My number one priority is to keep voters and poll workers safe," **said Harris County Clerk Chris Hollins.** "The feedback we received from the Drive-Thru Voting pilot proves that voters felt safe exercising their right to vote and that it was an easy and efficient alternative to going inside a voting center. We are exploring options to expand this program for the November General Election at select locations as another method of voting during COVID-19."

Voters raved about the experience. Of the 200 voters who voted at the Drive-Thru Voting site, 141 completed an optional survey reviewing the new service. Some wrote that Drive-Thru Voting was "easy to use" and others cited how the service "made voters feel safe." One respondent even wrote that it was their "best voting experience EVER!"

Voters would overwhelmingly use the service again and recommend it to others. When asked on a scale of 0 through 10, with 10 being extremely likely, whether they would consider using the same service if it is provided again in the future, voters on average gave a score of 9.70. On the same scale, when asked whether they would recommend Drive-Thru Voting to another voter, voters on average gave a score of 9.66.

Fear of exposure to COVID-19 was the top reason for using Drive-Thru Voting. When asked why voters chose to vote using the Drive-Thru Voting service as opposed to the traditional walk-in voting method, 82 (58%) cited worries about health and safety in the midst of the pandemic. Other frequently mentioned reasons included the convenience of the service and pure curiosity about the experience of Drive-Thru Voting.

Drive-Thru Voting was piloted from 7:00 AM to 10:00 PM on Friday, July 10<sup>th</sup>, 2020, at Houston Community College – West Loop.

*Raw anonymous survey results can be found [HERE](#). The survey was available in English, Spanish, Chinese and Vietnamese. Out of 200 voters, 141 completed the survey.*

###

**Exhibit 17**

**Exhibit A**



# Chris Hollins · Harris County Clerk

**FOR IMMEDIATE RELEASE**

June 15, 2020

**CONTACT:** Communications & Voter Outreach

[County.Clerk@cco.hctx.net](mailto:County.Clerk@cco.hctx.net)

(713) 274-9550

## Harris County Clerk Chris Hollins Launches 23-Point S.A.F.E. Plan Ahead of July Primary Runoff Elections

**(Houston, TX)** – Today, Clerk Hollins announced S.A.F.E., a robust set of 23 initiatives to ensure the July Primary Runoff Elections and the November General Election are safe, secure, accessible, fair, and efficient. The framework addresses the challenges of administering an election during an unprecedented global pandemic through thoughtful consideration of voter and poll-worker safety and innovating conventional practices to make voting more efficient.

“Since taking office on June 1st, I have spent my first two weeks learning, meeting with staff and stakeholders, and creating dedicated working groups to tackle the challenges we are facing as we head into July and November. Through these discussions, we developed S.A.F.E. to communicate to voters and staff what they can expect at the polls,” **said Harris County Clerk Chris Hollins**. “My commitment to all the residents of Harris County is to administer a safe, secure and fair election this July and again in November. This office will do everything we can to give every Harris County voter an equal say at the polls and give you the peace of mind that your vote will be counted.”

More information on the 23 S.A.F.E. initiatives below:

**SAFE** is our commitment to voters that you can exercise your right to vote without putting your health at risk. We will:

1. Provide PPE to all poll workers and voters who need it;
2. Optimize the floor plans of polling locations for safety and social distancing; and
3. Promote and maximize vote-by-mail within the bounds of the law.

Our election will be **SECURE**. It is ours—no one else’s—and we will not allow any tampering. We will:

4. Ensure the security of our voting systems and hardware; and
5. Respond proactively to any reports of voter intimidation, coercion, or fraud.

Our election will be **ACCESSIBLE**. Harris County voters can cast their votes at more polling sites and can do so quickly and conveniently. We will:

6. Utilize data to increase the number and optimize the locations of polling sites;
7. Procure sufficient additional machines from other jurisdictions and provide them with exceptional technical support;
8. Allocate machines across polling sites based on known traffic patterns and expected turnout;
9. Accurately report wait times across the County during the Early Voting period and on Election Day;
10. Provide increased voting hours during the Early Voting period;
11. Ensure ADA accessibility across County polling sites; and
12. Increase curbside voting and potentially introduce drive-thru-voting.

**Exhibit 17**

**Exhibit B**

Our election will be **FAIR**. Every Harris County voter has equal access to the polls, and your vote is your voice in our democracy. We will:

13. Increase outreach to all voters and groups traditionally left out of the democratic process;
14. Seek and incorporate meaningful feedback from all stakeholders;
15. Count every vote and ensure the accuracy of election results;
16. Reduce the time it takes to report results on Election Day; and
17. Proactively engage provisional ballot voters on how to cure their ballots so they may be counted.

And our election will be **EFFICIENT**. We will ensure that the resources are in place for our elections to run smoothly despite today's unprecedented conditions. We will:

18. Recruit more than enough poll workers to operate polling locations during the Early Voting period and on Election Day;
19. Train poll workers and clarify standard operating procedures for a safe and effective operation under the current circumstances;
20. Prepare resources in anticipation of increased vote-by-mail usage by Harris County voters;
21. Put key performance indicators (KPIs) in place to measure our preparedness in ensuring a S.A.F.E. election for the voters of Harris County;
22. Optimize the ballot layout to allow voters to cast their votes more quickly; and
23. Procure the next generation of voting machines for use beyond 2020.

The first election of Clerk Hollins's administration will be the 2020 Primary Runoff. The Early Voting Period for this election will be June 29-July 10, and Election Day is on July 14.

For more information go to [HarrisVotes.com](https://www.harrisvotes.com) and follow @harrisvotes on Twitter, Facebook, and Instagram.

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[Harris County Clerk Chris Hollins Launches 23-Point S.A.F.E. Plan](#) (video)

Tab B





While this ruling is supported by general Equal Protection and Election Clause cases, it is somewhat without precedent with regard to the Plaintiffs (or Intervenors) who are actual candidates for elected office. Therefore, the Court, in anticipation of an appeal or petition for writ of mandamus and knowing that the appellate court could draw a distinction in that regard and hold that standing exists, has gone further to indicate what its ruling would have been in that case.

## II.

The Court finds that Plaintiffs lack standing to sue. Federal courts must determine whether they have jurisdiction before proceeding to the merits. *Steel Co. v. Citizens for Better Environment*, 523 U.S. 83, 94–95 (1998). Article III of the Constitution limits federal jurisdiction to “Cases” and “Controversies.” One component of the case or controversy requirement is standing. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–61 (1992). The Supreme Court has repeatedly held that an individual plaintiff raising only a generalized grievance about government does not meet the Article III requirement of a case or controversy. *Id.* at 573–74. This Court finds that the Plaintiffs here allege only a “generalized grievance about the conduct of government.” *Lance v. Coffman*, 549 U.S. 437, 442 (2007).

The Plaintiffs’ lack of a particularized grievance is fatal to their claim under the Equal Protection Clause. “The rule against generalized grievances applies with as much force in the equal protection context as in any other.” *U.S. v. Hays*, 515 U.S. 737, 743 (1995). Plaintiffs’ general claim that Harris County’s election is being administered differently than Texas’s other counties does not rise to the level of the sort of particularized injury that the Supreme Court has required for constitutional standing in elections cases. *See id.*; *Gill v. Whitford*, 138 S. Ct. 1916, 1933 (2018) (no standing in equal protection case when alleged injury involved “group political interests” and not “individual legal rights”).

Further, it is unclear that individual plaintiffs have standing to assert claims under the

Elections Clause at all. The Supreme Court has held that individual plaintiffs, like those here, whose only asserted injury was that the Elections Clause had not been followed, did not have standing to assert such a claim. *See Lance*, 549 U.S. at 442. Conversely, the Court has held that the Arizona Legislature did have standing to allege a violation of the Elections Clause as it was “an institutional plaintiff asserting an institutional injury.” *Ariz. State Legislature v. Ariz. Indep. Redistricting Comm’n*, 576 U.S. 787, 802 (2015). In addition, the Supreme Court has also held plaintiffs had such standing when they were state senators whose “votes had been completely nullified” by executive action. *Id.* at 803 (citing *Raines v. Byrd*, 521 U.S. 811, 822–23 (1997)). These cases appear to stand for the proposition that only the state legislature (or a majority of the members thereof) have standing to assert a violation of the Elections Clause.

The Court finds that the Plaintiffs here are akin to those in *Lance v. Coffman*, in which the Supreme Court held that private citizens, whose primary alleged injury was that the Elections Clause was not followed, lacked standing to bring a claim under the Elections Clause. 549 U.S. at 442. To summarize the Plaintiffs’ primary argument, the alleged irreparable harm caused to Plaintiffs is that the Texas Election Code has been violated and that violation compromises the integrity of the voting process. This type of harm is a quintessential generalized grievance: the harm is to every citizen’s interest in proper application of the law. *Lujan*, 504 U.S. at 573–74; *Fairchild v. Hughes*, 258 U.S. 126, 129 (1922) (holding that the right, possessed by every citizen, to require that the Government be administered according to the law does not entitle a private citizen to institute a lawsuit in federal court). Every citizen, including the Plaintiff who is a candidate for federal office, has an interest in proper execution of voting procedure. Plaintiffs have not argued that they have any specialized grievance beyond an interest in the integrity of the election process, which is “common to all members of the public.” *United States v. Richardson*,

418 U.S. 166, 176–77.<sup>1</sup>

### III.

If the Court had plaintiffs with standing, it would have denied in part and granted in part the motion for preliminary injunction.<sup>2</sup> A preliminary injunction is an “extraordinary remedy” that should only be granted if the movant has “clearly carried the burden of persuasion” on all four factors. *Lake Charles Diesel, Inc. v. Gen. Motors Corp.*, 328 F.3d 192, 196 (5th Cir. 2003). The movant, however, “need not prove his case.” *Lakedreams v. Taylor*, 932 F.2d 1103, 1109 (5th Cir. 1991) (citing *H & W Indus. v. Formosa Plastics Corp.*, 860 F.2d 172, 179 (5th Cir. 1988)). Before a court will grant a preliminary injunction, the movants must clearly show “(1) a substantial likelihood that they will prevail on the merits, (2) a substantial threat that they will suffer irreparable injury if the injunction is not granted, (3) that their substantial injury outweighs the threatened harm to the party whom they seek to enjoin, and (4) granting the preliminary injunction will not disserve the public interest.” *City of El Cenizo v. Texas*, 890 F.3d 164, 176 (5th Cir. 2018) (quoting *Tex. Med. Providers Performing Abortion Servs. v. Lakey*, 667 F.3d 570, 574 (5th Cir. 2012)); *see also Winter v. NRDC*, 555 U.S. 7, 20 (2008) (“A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer

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<sup>1</sup> This Court finds the answer to this question to be particularly thorny, given that some of the Plaintiffs are actual candidates who have put in time, effort, and money into campaigning, to say nothing of the blood, sweat, and tears that a modern campaign for public office entails. This Court would readily understand if some appellate court finds that these Plaintiffs have standing despite the fact they cannot individualize their damage beyond their rightful feeling that an election should be conducted lawfully. Neither this Court’s research nor the briefing of the parties have brought forth any precedent to support this concept under either of the two pleaded causes of action based upon claimed violations of Equal Protection or the “Elections Clause.” Given the timing of this case and the impact that such a ruling might have, this Court finds it prudent to follow the existing precedent.

<sup>2</sup> The Defendant and Intervenors suggested both in oral argument and in their written presentations that the Court should abstain under either *Pullman*, *Colorado River*, or *Rooker-Feldman* doctrine. Since standing is jurisdictional and since this Court is dismissing this action, it need not analyze these arguments. *See Railroad Commission of Texas v. Pullman Co.*, 312 U.S. 496, 61 S. Ct. 643 (1941); *Colorado River Water Conservation Dist. v. U.S.*, 424 U.S. 800 (1976); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); and *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983).

irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.”). “The purpose of a preliminary injunction is always to prevent irreparable injury so as to preserve the court’s ability to render a meaningful decision on the merits.” *Canal Auth. of Fla. v. Callaway*, 489 F.2d 567, 576 (5th Cir. 1974).

This Court finds that there is a difference between the voting periods presented to it. The merits need to be analyzed separately by early voting and election day voting. With respect to the likelihood of success, the Court would find that the Plaintiffs do not prevail on the element of likelihood of success with respect to early voting. First, § 85.062 of the Texas Election Code provides for “temporary branch polling places” during early voting. Tex. Elec. Code. § 85.062. The statute authorizes county election officials to use “movable structure[s]” as polling places. *Id.* § 85.062(b). The Code does not define “structure,” but Black’s Law Dictionary defines the term as: “Any construction, production, or piece of work artificially built up or composed of parts purposefully joined together.” Black’s Law Dictionary (11th ed. 2019). The Court finds, after reviewing the record, the briefing, and considering the arguments of counsel, that the tents used for drive-thru voting qualify as “movable structures” for purposes of the Election Code. The Court is unpersuaded by Plaintiffs’ argument that the voters’ vehicles, and not the tents, are the polling places under the drive-thru voting scheme. Consequently, the Court finds that drive-thru voting was permissible during early voting. Moreover, the Plaintiffs failed to demonstrate under the Texas Election Code that an otherwise legal vote, cast pursuant to the instructions of local voting officials, becomes uncountable if cast in a voting place that is subsequently found to be non-compliant.

Additionally, the promptness with which one brings an injunction action colors both the elements of likelihood of success on the merits and irreparable harm. *See Petrella v. Metro-Goldwyn-Mayer, Inc.*, 572 U.S. 663, 685 (2014) (“In extraordinary circumstances, however, the consequences of a delay in commencing suit may be of sufficient magnitude to warrant, at the very

outset of the litigation, curtailment of the relief equitably awardable.”); *Environmental Defense Fund, Inc. v. Alexander*, 614 F.2d 474, 478 (1980) (“equitable remedies are not available if granting the remedy would be inequitable to the defendant because of the plaintiff’s long delay.”). Here, the Court finds that the Plaintiffs did not act with alacrity. There has been an increasing amount of conversation and action around the subject of implementing drive-thru voting since earlier this summer. The Defendant has argued, and no one has refuted, that discussions were held with leaders of both major political parties, and, using that input, a drive-thru voting plan was developed. The Harris County Commissioners Court approved a budget for drive-thru voting in late September. Finally, actual drive-thru voting began October 13, 2020. At virtually any point, but certainly by October 12, 2020, Plaintiffs could have filed this action. Instead, they waited until October 28, 2020 at 9:08 p.m. to file their complaint and did not file their actual motion for temporary relief until mid-day on October 30, 2020—the last day of early voting. The Court finds this delay is critical. It is especially important in this compact early voting timeframe, in a particularly tense election, where each day’s voting tally functionally equated to many days or even weeks of early voting in different situations.

Therefore, this Court finds the Plaintiffs do not prevail on the first element.

With regard to the second element, “irreparable injury,” this point is covered more thoroughly in the standing discussion, but suffice it to say, in response to the Court’s question during oral argument, Plaintiff’s counsel described their injuries as the concern for the voting law to be accurately enforced and voting to be legal. In response to the Court’s questions, Plaintiffs’ Counsel said their irreparable injury was that the election process was being compromised, and that it prevents there being uniformity in the manner of voting throughout Texas. While certainly valid concerns, those are not the kind of injuries that separate Plaintiffs from other concerned citizens. Plaintiffs have no evidence of individualized irreparable injuries.

The one element that the Court finds the Plaintiffs have prevailed on is the harm to the party defendant. The Court finds that there would be no harm to Harris County. The only suggested harm is that the County has spent millions of dollars to implement drive-thru voting. While these funds may have been better spent, their loss does not prevail over tens of thousands of potentially illegal votes. Further, if granted, the injunction would only require the Defendant to conduct elections as Harris County has conducted them in the past without drive-thru voting.

The last element must, like the first, take on extraordinary significance in this context. That element concerns the public interest. Plaintiffs argue, correctly, that the public has an interest in seeing that elections are carried out pursuant to the Election Code. This is no doubt true; however, this generalized interest is offset by two somewhat stronger factors. First, the drive-thru early voting as designed and implemented is, to this Court's reading, legal as described above. Second, there have been over 120,000 citizens who have legally voted utilizing this process. While Plaintiffs have complained about anecdotal reports of irregularities, the record reflects that the vast majority were legal voters, voting as instructed by their local voting officials and voting in an otherwise legal manner. The only claimed widespread illegality is the place of voting—a tent outside the polling place instead of inside the actual building. To disenfranchise over 120,000 voters who voted as instructed the day before the scheduled election does not serve the public interest.

Therefore, if the Court had found standing existed, it would have denied an injunction as to the drive-thru early voting.

The Court finds the issue as to Election Day to cut the opposite direction. On Election Day, as opposed to early voting, there is no legislative authorization for movable structures as polling places. The Election Code makes clear that, on Election Day, “[e]ach polling place shall be located inside a building.” Tex. Elec. Code § 43.031(b). The term “building” is not defined in the Code.

Nevertheless, Black’s Law Dictionary defines “building” as: “A structure with walls and a roof, esp. a permanent structure.” Black’s Law Dictionary (11th ed. 2019). The Court finds, after reviewing the record and arguments of counsel, that the tents used for drive-thru voting are not “buildings” within the meaning of the Election Code. Further, they are not inside, they are clearly outside. Accordingly, if the Plaintiffs had standing, the Court would have found that the continuation of drive-thru voting on Election Day violates the Texas Election Code.

It also finds that, unlike in early voting, the Plaintiffs prevail when one weighs the various elements that underlie the issuance of an injunction. First, as stated above, the Court does not find a tent to be a building. Therefore, under the Election Code it is not a legal voting location. Second, the Plaintiffs’ request for injunctive relief is timely. While it could and should have been made earlier, it was made days before the election. The Court would have found that the Plaintiffs had a likelihood of success. The analysis of the second element remains the same. With regard to the loss that the Defendant might suffer, the Court finds this to be minimal. While it apparently spent millions in implementing the drive-thru voting system, it had over 120,000 voters use it—so it is money well-spent. The fact it would not be used on Election Day does not diminish its benefit. The analysis of the last element, public interest, swings in favor of the Plaintiffs. No one should want votes to be cast illegally or at an illegal polling place. No one has voted yet—so no one is being disenfranchised. Moreover, for those who are injured or worried that their health would be compromised should they be compelled to enter the building to vote, curbside voting is available under § 64.009 of the Texas Election Code.<sup>3</sup> Lastly, there are very few citizens who would want their vote to be in jeopardy, so it is incumbent on election officials to conduct voting in a proper location—not one which the Attorney General has already said was inappropriate. Consequently,

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<sup>3</sup> This Court is quite cognizant of the Texas Supreme Court ruling (in a slightly different context) that fear of contracting COVID-19 does not establish an exception. *In re State*, 602 S.W.3d 549 (Tex. 2020).



this Court, had it found that standing existed, would have granted the injunction prospectively and enjoined drive-thru voting on Election Day and denied all other relief.

Nevertheless, since it found standing does not exist, this action is hereby dismissed.

Signed this 2nd day of November, 2020.



Andrew S. Hanen  
United States District Judge