

**05-439 GI FORUM OF TEXAS V. PERRY**

DECISION BELOW:(Unreported, 6/9/2005)

LOWER COURT CASE NUMBER: 2:03-CV-354

**QUESTIONS PRESENTED:**

1. Whether political partisanship is sufficient justification, under section 2 and the Constitution, for dismantling a Latino-majority congressional district in order to elect the Anglo-preferred candidate.
2. Whether section 2 permits a state to eliminate a majority-minority district located in one area of the state and create another majority-minority district in a different area of the state.
3. Whether the District Court erred by requiring section 2 demonstrative districts to be more compact and to offer greater electoral opportunity to minority voters than the corresponding districts in the challenged redistricting plan.
4. Whether the number of majority-minority districts that can be created in the state functions as the upper limit of permissible political opportunity when assessing proportionality under Johnson v. DeGrandy.

JURISDICTION NOTED 12/12/2005

CONSOLIDATED WITH 05-204, 05-254, 05-276 FOR TWO HOURS ORAL ARGUMENT.  
EXPEDITED BRIEFING SCHEDULE.