

17-586 ABBOTT V. PEREZ

DECISION BELOW: 2017 WL 3495922

LOWER COURT CASE NUMBER: SA-11-CV-360

QUESTION PRESENTED:

1. Whether the district court issued an appealable interlocutory injunction when it invalidated Texas' duly enacted redistricting plan and ordered the parties to appear at a remedial hearing to redraw state congressional districts unless the Governor called a special legislative session to redraw the congressional map within three days.
2. Whether the Texas Legislature acted with an unlawful purpose when it enacted a redistricting plan originally imposed by the district court to remedy any potential constitutional and statutory defects in a prior legislative plan that was repealed without ever having taken effect.
3. Whether the Texas Legislature engaged in intentional vote dilution when it adopted Congressional District 27 in 2013 after the district court found, in 2012, that CD27 did not support a plausible claim of racially discriminatory purpose and did not dilute Hispanic voting strength because it was not possible to create an additional Hispanic opportunity district in the region;
4. Whether the Legislature engaged in racial gerrymandering in Congressional District 35 when it simply adopted the district unchanged as part of the court-ordered remedial plan.

CONSOLIDATED WITH 17-626 FOR ONE HOUR ORAL ARGUMENT.

JURISDICTION POSTPONED 1/12/2018