

17-626 ABBOTT V. PEREZ

DECISION BELOW: 2017 WL 3668115

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 Texas House of Representatives districts unless the Governor called a special legislative session to redraw the Texas House map within three business days.
2. Whether the Texas Legislature acted with an unlawful purpose when it enacted Texas House of Representatives districts 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by the district court to remedy any potential constitutional and statutory defects in a prior legislative plan that was repealed without ever having taken effect.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 any of the invalidated districts that were unchanged from the 2012 court-imposed remedial plan to the 2013 legislatively adopted plan (in Bell, Dallas, and Nueces Counties) are unlawful, where the district court in 2012 issued an opinion explaining why these districts were lawful.
4. Whether the Texas Legislature had a strong basis in evidence to believe that consideration of race to maintain a Hispanic voter-registration majority was necessary in HD90 in Tarrant County, where one of the plaintiffs in the lawsuit told the Legislature it had to keep the district's population above 50% Spanish-surnamed voter registration to avoid diluting Hispanic voting strength.

CONSOLIDATED WITH 17-586 FOR ONE HOUR ORAL ARGUMENT.

JURISDICTION POSTPONED 1/12/2018