



Temporary Restraining Order and instead ordered the Parties to proceed to a hearing on a temporary injunction. Before the State could do so, Defendants removed the case to federal court in an attempt to avoid Texas pursuing further judicial review in state court. Dkt. 1. Defendants failed to identify a good-faith basis for the removal in their notice. That same day, the State filed an Emergency Motion to Remand, noting that Defendants' removal was a bad-faith delay tactic. Dkt. 2.

Since the filing of the State's Emergency Motion, the State has filed two supplemental emergency motions for remand pointing this Court to new evidence showing how Defendants' actions are currently harming the State. Dkts. 12, 14. Now, even more evidence has come to the State's attention. Given this newly discovered information, the State again respectfully requests and re-urges the Court to remand this case to the jurisdictionally appropriate state court.

#### ARGUMENT

As discussed more in depth in the State's Emergency Motions, Dkts. 2, 10, Defendants removed this case to delay and interfere with the state court's ability to provide relief to the State. Specifically, the State in this case seeks to prevent collusion between Defendants and Civic Government Solutions (CGS), a partisan data firm that has contracted with Travis County to compile a list of potentially unregistered voters, with the ultimate goal of sending out voter registration applications *en masse* to these potential voters.

The harm that the State sought to prevent in the state courts is not just imminent—it is occurring in real time. As noted in the State's previous Supplements, Dkts. 12, 14, Travis County paid its partisan vendor, CGS, to help register a voter who had been deceased for over forty years. Counsel for the State has since become aware that Travis County and its vendor, CGS—with whom Bexar County has also contracted for similar purposes—has once again unlawfully attempted to register voters.

Malanie Buhrman has resided at the same Travis County address since December 2013. She has recently received two voter registration applications from Travis County. Each of the mailers was addressed to Robin Kauffman and Erin Kauffman, the daughters of the previous owner of Ms. Buhrman's current residence. Neither person has lived at Ms. Buhrman's address since she moved in over a decade ago. These mailings come to Ms. Buhrman after Travis County has contracted with CGS, and this is the first mailing Ms. Buhrman has ever received attempting to register individuals to vote who do not live at her address. These mailings have caused Ms. Buhrman considerable confusion and alarm, and—in her mind—serve to undermine the integrity of Texas elections. Attached hereto as Exhibit A is Ms. Buhrman's declaration concerning her experience, and providing true and correct copies of the mailings.

Travis County's conduct makes it clear that it intends to continue distributing unsolicited voter registration forms based on the information it obtained. Such an action is *ultra vires* in direct violation of state law, *see State v. Hollins*, 620 S.W.3d 400, 410 (Tex. 2020), and is the exact action that the State sought to prevent when it filed its lawsuit. *See generally* Dkt. 6-1. As a result of this action, the State will be irreparably damaged. These sorts of careless mailings have the potential to open elections to fraud and other untoward conduct, thus drastically harming the State's election security.

#### CONCLUSION

For these additional reasons, the State requests the Court immediately remand this action.

Date: September 27, 2024

Respectfully submitted.

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**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on September 27, 2024, and that all counsel of record were served by CM/ECF.

/s/ Ryan G. Kercher  
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