

NO. 15-24-00099-CV

*In the Court of Appeals
For the Fifteenth Judicial District
Austin, Texas*

FILED IN
15th COURT OF APPEALS
AUSTIN, TEXAS
9/17/2024 10:08:56 AM
CHRISTOPHER A. PRINE
Clerk

THE STATE OF TEXAS,
Appellant,

v.

**JACQUELYN CALLANEN IN HER OFFICIAL CAPACITY AS BEXAR
COUNTY ELECTION ADMINISTRATOR; PETER SAKAI, IN HIS
OFFICIAL CAPACITY AS BEXAR COUNTY JUDGE; REBECA CLAY-
FLORES, IN HER OFFICIAL CAPACITY AS BEXAR COUNTY
COMMISSIONER; JUSTIN RODRIGUEZ, IN HIS OFFICIAL CAPACITY
AS BEXAR COUNTY COMMISSIONER; GRANT MOODY, IN HIS
OFFICIAL CAPACITY AS BEXAR COUNTY COMMISSIONER; TOMMY
CALVERT, IN HIS OFFICIAL CAPACITY AS BEXAR COUNTY
COMMISSIONER,**
Appellees.

On Appeal from the 57th Judicial District Court of Bexar County, Texas
Trial Court Cause No. 2024-CI-19710
The Honorable Antonia Arteaga, Judge Presiding

**APPELLEES' NOTICE OF STAY BECAUSE OF REMOVAL TO
FEDERAL COURT**

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Counsel for Appellees

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NOTICE OF STAY

1. Appellant the State of Texas perfected its appeal on September 16, 2024, when it filed an Emergency Motion for Temporary Order.
2. The underlying cause in the trial court, *The State of Texas v. Jacquelyn Callanen, et al.*, Cause No. 2024-CI-19710, before the 73rd District Court, Bexar County, Texas, was removed to the United States District Court for the Western District of Texas under docket number 5:24-CV-1043, filed on September 17, 2024.
3. Under the provisions of 28 U.S.C. section 1446(d), all proceedings are automatically stayed. See *Meyerland Co. v. FDIC*, 848 S.W.2d 82, 83.
4. Wherefore, premises considered, Appellees respectfully request that the Court stay this case on the basis of removal to federal court.

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BEXAR COUNTY DISTRICT ATTORNEY

/s/ Robert W. Piatt III

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CERTIFICATE OF SERVICE

I do hereby certify compliance with Tex. R. App. P. 9.2 and 9.5(b). A true and correct copy of the foregoing instrument has been served on all counsel, by electronic transmission to the electronic mail address on file with the electronic filing manager pursuant to Rule 9.5(b)(1). If a party has not designated an electronic mail address with the electronic filing manager, the party was served a true and correct copy of the foregoing instrument in person, by mail, by commercial delivery service, by fax or by email, or by such other manner as the Court in its discretion may direct pursuant to Rule 9.5(b)(2). Service was made on all parties as provided on September 17, 2024.

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Federal Court

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