

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

TEXAS DEMOCRATIC PARTY, *et al.*,

*Plaintiffs,*

v.

PAUL BETTENCOURT,

*Defendant.*

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CIVIL ACTION H-08-3332

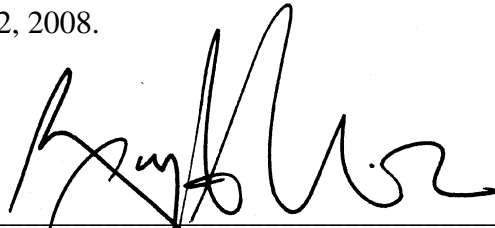
**ORDER**

Before the court is the unopposed motion for designation of a three-judge panel to hear the claims of plaintiffs Texas Democratic Party; Boyd L. Richie, in his capacity as Chairman of the Texas Democratic Party; Harris County Democratic Party; Gerals Birnberg, in his capacity as Chairman of the Harris County Democratic Party; J. Goodwille Pierre; Alexandra Gibbs; Jeffrey T. Van Schoonhoven; Boni Sue Leszczuk; and Eric J. Galloway that involve Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c. Dkt. 15.

Section 5 of the Voting Rights Act requires certain states and political subdivisions to “obtain approval of certain changes in their standards, practices, or procedures with respect to voting.” *United States v. Saint Landry Parish Sch. Bd.*, 601 F.2d 859, 861–62 (5th Cir. 1979). “[I]n light of the extraordinary nature of the [Voting Rights] Act in general, and the unique approval requirements of [Section] 5, Congress intended that disputes involving the coverage of [Section] 5 be determined by a district court of three judges.” *Allen v. State Bd. of Elections*, 393 U.S. 544, 563, 89 S. Ct. 817 (1969).

Plaintiffs' motion is GRANTED. Therefore, this court requests Chief Judge Edith H. Jones, United States Court of Appeals for the Fifth Circuit, designate a district court of three judges to hear and determine plaintiffs' Section 5 claims.

Signed at Houston, Texas on December 22, 2008.



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Gray H. Miller  
United States District Judge

TO ENSURE PROPER NOTICE, EACH PARTY RECEIVING THIS ORDER SHALL  
FORWARD IT TO EVERY OTHER PARTY AND AFFECTED NONPARTY