## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS **EL PASO DIVISION**

LEAGUE OF UNITED LATIN	§	
AMERICAN CITIZENS, et al.,	§	
	§	
Plaintiffs,	§	
EDDIE BERNICE JOHNSON, et al.,	§ § §	EP-21-CV-00259-DCG-JES-JVB [Lead Case]
Plaintiff-Intervenors,	§	&
<b>v.</b>	§	a a
GREG ABBOTT, in his official capacity as	§ §	All Consolidated Cases
Governor of the State of Texas, et al.,	§ 8	COM
Defendants.	§	C.E.

## ORDER DENYING PRIOR VERSION OF MOTION AS MOOT

On February 14, 2025, Defendants filed a "Notion for Partial Judgment on the Pleadings and to Dismiss for Lack of Subject Matter Jurisdiction." That Motion is currently designated as a pending motion on the Court's CM/ECF system.

The following day, Defendants filed a "First Amended Motion for Partial Judgment on the Pleadings and to Dismiss for Lack of Subject Matter Jurisdiction."<sup>2</sup> As far as the Court can tell, the only difference between the two motions is that the latter contains two exhibits that the former lacks.<sup>3</sup> The Court therefore presumes that Defendants intended the latter motion to supersede the former.

<sup>2</sup> See 1st Am. Mot., ECF No. 848, at 1 (emphasis added).

<sup>&</sup>lt;sup>1</sup> See Mot., ECF No. 846, at 1.

<sup>&</sup>lt;sup>3</sup> See 1st Am. Mot. Ex. A, ECF No. 848-1; 1st Am. Mot. Ex. B, ECF No. 848-2.

Accordingly, the Court **DENIES** Defendants' "Motion for Partial Judgment on the Pleadings and to Dismiss for Lack of Subject Matter Jurisdiction" (ECF No. 846) as **MOOT**.

Defendants' "First Amended Motion for Partial Judgment on the Pleadings and to

Dismiss for Lack of Subject Matter Jurisdiction" (ECF No. 848) SHALL REMAIN PENDING.

The Court will rule on that motion in due course.

So ORDERED and SIGNED this 19th day of February 2025.

DAVID C. GUADERRAMA

SENIOR U.S. DISTRICT JUDGE

And on behalf of.

Jerry E. Smith
United States Circuit Judge
U.S. Court of Appeals, Fifth Circuit

-and-

Jeffrey V. Brown United States District Judge Southern District of Texas