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23-0656
11/27/2023 12:00 AM
One Greenway \$ 19-25-15uite 100
HOSISTEREIME 7004 FRO 102 TEXAS
BLAKE: #19-46/23-1680
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November 24, 2023

Mr. Blake A. Hawthorne Clerk of the Supreme Court of Texas PO Box 12248 Austin, Texas 78711 By eFile

Re: No. 23-0656; In the Supreme Court of Texas

Office of the Attorney General of Texas, et al. v. Harris County, Texas, et al.

Dear Mr. Hawthorne:

Pursuant to our phone call Wednesday night, attached are copies of the Notice of Nonsuit and Proposed Order that were filed by Clifford Tatum today in the Travis County District Court.

Please let me know if you have any questions. Thank you.

Sincerely,

Law Office of Richard Schechter, P.C.

Kich Schuhter

Richard Schechter

RS/ay Encl.

#### CAUSE NO. D-1-GN-23-003523

HARRIS COUNTY, TEXAS, IN THE DISTRICT COURT OF Plaintiff, v. THE STATE OF TEXAS; OFFICE OF THE ATTORNEY GENERAL OF TEXAS; KEN PAXTON, in his Official Capacity as Attorney General of Texas; OFFICE OF TRAVIS COUNTY, TEXAS THE TEXAS SECRETARY OF STATE: and JANE NELSON, in her official capacity as Texas Secretary of State, Defendants. CLIFFORD TATUM, Intervenor/Cross-Plaintiff, THE STATE OF TEXAS and THE ATTORNEY GENERAL OF TEXAS, 345th JUDICIAL DISTRICT Defendant-Intervenors.

# INTERVENOR CONFORD TATUM'S NOTICE OF NONSUIT OF ACL CLAIMS, WITHOUT PREJUDICE

Pursuant to Texas Rule of Civil Procedure 162, Intervenor Clifford Tatum hereby provides the Court written notice of his nonsuit without prejudice of his claims in intervention against The State of Texas; Office of the Attorney General of Texas; Ken Paxton, in his Official Capacity as Attorney General of Texas; Office of the Texas Secretary of State; and Jane Nelson, in her Official Capacity as Texas Secretary of State; and his nonsuit without prejudice of his claims for declaratory judgment and application for temporary injunction and permanent injunction against Harris County. All costs of court are to be taxed against the party incurring them.

### Respectfully submitted,

/s/ Gerald M. Birnberg
Gerald M. Birnberg
LAW OFFICE OF GERALD M. BIRN

LAW OFFICE OF GERALD M. BIRNBERG State Bar No. 02342000 843 W. Friar Tuck Ln. Houston, Texas 77024-3639 (281) 658-8018 (voice) (713) 981-8670 (telecopier)

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### /s/ Richard Schechter

Richard Schechter
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Attorneys for Intervenor, Clifford Tatum

# CERTIFICATE OF SERVICE

I hereby certify that on November 24, 2023, a true and correct copy of the foregoing document was served via the Court's electronic filing system to all counsel of record.

/s/ Richard Schechter

Richard Schechter

### CAUSE NO. D-1-GN-23-003523

HARRIS COUNTY, TEXAS,	§ IN THE DISTRICT COURT OF			
Plaintiff,	<b>§</b> §			
v.	§ §			
THE STATE OF TEXAS; OFFICE OF THE ATTORNEY GENERAL OF TEXAS; KEN PAXTON, in his Official Capacity as Attorney General of Texas; OFFICE OF THE TEXAS SECRETARY OF STATE; and JANE NELSON, in her official capacity as Texas Secretary of State,	<pre>\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ TRAVIS COUNTY, TEXAS \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$</pre>			
Defendants.	\$ \$ \$			
CLIFFORD TATUM,	\$ \$ EXE!			
Intervenor/Cross-Plaintiff,	S S S S S S S S S S S S S S S S S S S			
THE STATE OF TEXAS and THE ATTORNEY GENERAL OF TEXAS,	S S CRACT CONTROL OF THE CONTROL OF			
Defendant-Intervenors.	§ 345th JUDICIAL DISTRICT			
ORDER ON CLIFFO	RD TATUM'S NONSUIT			
It is hereby ORDERED, ADJUDGED and DECREED that Clifford Tatum's claims in				
intervention against The State of Texas; Office	e of the Attorney General of Texas; Ken Paxton, in			
his Official Capacity as Attorney General of	Γexas; Office of the Texas Secretary of State; and			
Jane Nelson, in her Official Capacity as Texas	Secretary of State; and Clifford Tatum's claims for			
declaratory judgment and application for temp	porary injunction and permanent injunction against			
Harris County are DISMISSED without prejud	lice.			
SIGNED this day of	, 2023.			

JUDGE PRESIDING

### **Automated Certificate of eService**

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below:

Alyce Young on behalf of Richard Schechter

Bár No. 17735500 alyce@rs-law.com Envelope ID: 81927271

Filing Code Description: Letter/Notice

Filing Description: Letter to Blake A. Hawthorne, Clerk of the Supreme

Court of Texas

Status as of 11/27/2023 7:54 AM CST

Associated Case Party: Office of the Attorney General of Texas

Name	BarNumber	Email	TimestampSubmitted	Status
Brent Webster	24053545	brent.webster@oag.texas.gov	11/24/2023 5:17:14 PM	SENT
Bill Davis		bill.davis@oag.texas.gov	11/24/2023 5:17:14 PM	SENT
Lanora Pettit		lanora.pettit@oag.texas.gov	11/24/2023 5:17:14 PM	SENT
Ben Mendelson		Ben.Mendelson@oag.texas.gov	11/24/2023 5:17:14 PM	SENT
Susanna Dokupil		Susanna.Dokupil@oag.texas.gov	11/24/2023 5:17:14 PM	SENT

### **Case Contacts**

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Associated Case Party: Clifford Tatum

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Richard Schechter		richard@rs-law.com	11/24/2023 5:17:14 PM	SENT

Associated Case Party: Harris County, Texas

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Bar No. 17735500 alyce@rs-law.com

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Court of Texas

Status as of 11/27/2023 7:54 AM CST

Associated Case Party: Harris County, Texas

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Associated Case Party: Angela Colmenaro

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