

No. 15-24-00099-CV

**In the Court of Appeals
for the Fifteenth Judicial District**

FILED IN
15th COURT OF APPEALS
AUSTIN, TEXAS
4/13/2026 4:45:00 PM
MICHAEL A. CRUZ
Clerk

THE STATE OF TEXAS,

Appellant,

v.

JACQUELYN CALLANAN, IN HER OFFICIAL CAPACITY AS BEXAR COUNTY ELECTIONS 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; AND TOMMY CALVERT, IN HIS OFFICIAL CAPACITY AS BEXAR COUNTY COMMISSIONER,

Appellees.

On Appeal from the
73rd Judicial District Court, Bexar County

**UNOPPOSED MOTION TO REINSTATE AND DISMISS
APPEAL**

Appellant the State of Texas moves to reinstate this appeal to the Court's active docket and to dismiss the appeal. Appellees are unopposed.

This case concerns Bexar County's decision to mass mail unsolicited voter-registration applications in 2024. In brief, the State took this appeal from the denial of a temporary injunction and filed an emergency motion for temporary relief. *See* Tex. R. App. P. 29.3. But one day after the State filed that motion, the County

improperly removed this case to federal court. *See* Appellant's Emergency Motion for Temporary Order at 1 (filed September 16, 2024); Appellees' Notice of Stay Because of Removal to Federal Court at 3 (filed September 17, 2024). That removal required this Court to abate this appeal and prevented it from adjudicating the State's motion. *See* Abatement Order at 2 (filed September 18, 2024); 28 U.S.C. § 1446(d).

The case remained pending in federal court for six months but was ultimately remanded back to state court in March of 2025. *See* Order at 10-11, *State v. Calvert, et al.*, No. 5:24-cv-01043-OLG (W.D. Tex. Mar. 18, 2025). Since then, this appeal has remained abated.

The State no longer wishes to pursue this appeal because it concerns the denial of a temporary injunction based on a record compiled in 2024. Thus, the State moves to dismiss the appeal. *See* Tex. R. App. P. 42.1(a)(1). The State, however, has amended its petition below and will continue to fight for election integrity.

PRAYER

The Court should reinstate this appeal to its active docket and dismiss the appeal.

Respectfully submitted.

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Attorney General of Texas

WILLIAM R. PETERSON
Solicitor General

BRENT WEBSTER
First Assistant Attorney General

/s/ Benjamin Wallace Mendelson
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Counsel for Appellant

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CERTIFICATE OF CONFERENCE

I certify that I contacted Lisa Cubriel, counsel for Appellees, via email on April 13, 2026, regarding the relief requested in this motion. Appellees are unopposed.

/s/ Benjamin W. Mendelson
BENJAMIN W. MENDELSON

CERTIFICATE OF COMPLIANCE

Microsoft Word reports that this motion contains 257 words, excluding emptied text.

/s/ Benjamin W. Mendelson
BENJAMIN W. MENDELSON

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Nancy Villarreal on behalf of Ben Mendelson

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Filing Description: 20260413 Bexar Voter Reg motion to dismiss appeal_Final

Status as of 4/13/2026 5:06 PM CST

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