

Cause No. 2020-52383

THE STATE OF TEXAS, <i>Plaintiff,</i>	§	In the District Court of
	§	
v.	§	Harris County, Texas
	§	
CHRIS HOLLINS, in his official capacity as Harris County Clerk <i>Defendant.</i>	§	127th Judicial District

Defendant Chris Hollins' Verified Answer to Plaintiff's Original Verified Petition and Application for Temporary Restraining Order, Temporary Injunction and Permanent Injunction

Christopher Hollins, in his official capacity as the Harris County Clerk, files this Answer to The State of Texas' ("Plaintiff") Original Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction, and would respectfully show the Court the following:

General Denial

1. Hollins generally denies all the allegations in the Plaintiff's Petition. Tex. R. Civ. P. 92.

Objection to Plaintiff's Failure to Verify Petition

2. Plaintiff's petition is unverified. *See* Pet. at 14. Hollins objects to Plaintiff's failure to verify his petition. Verification is required for injunctive relief. Tex. R. Civ. P. 682.

Verified Denials

3. Hollins asserts that Plaintiff lacks capacity to sue as the State of Texas and the proper party to this lawsuit is the Secretary of State. *See* Tex. Elec. Code § 31.005(b).

Other Defenses

4. Estoppel. Hollins asserts that Plaintiff should be barred from bringing this lawsuit based upon the SOS's prior advice and guidance regarding the unsolicited mailing of applications

to vote by mail to voters aged 65 and over and regarding the unsolicited mailing of educational material to all registered voters irrespective of age.

5. Sovereign immunity. Hollins asserts the affirmative defenses of official, governmental, or sovereign immunity (both immunity from suit and immunity from liability).

Request for Disclosures

6. Hollins requests that Plaintiff disclose, within 30 days of service of this request, the information or material described in Tex. R. Civ. P. 194.2.

Notice of Hearing

7. Please take notice that a hearing on Plaintiff's Application for a Temporary Injunction on Wednesday, September 9, 2020 at 12:00 pm by remote video conference.

Prayer for Relief

8. Hollins further requests that the Plaintiff's application for temporary restraining order, preliminary injunction, and permanent injunction be denied and requests judgment in his favor. Hollins requests any further relief to which he may be entitled at law or at equity.

Vince Ryan
Harris County Attorney

Respectfully submitted,

/s/ Cameron A. Hatzel

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Attorneys for Harris County Clerk

* *Pro hac vice* motions filed on this day.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing instrument was served on all parties of record via eFiling on September 8, 2020.

/s/ Cameron A. Hatzel

Cameron A. Hatzel

THE STATE OF TEXAS,
Plaintiff,

v.

CHRIS HOLLINS, in his official capacity
as Harris County Clerk
Defendant.

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In the District Court of

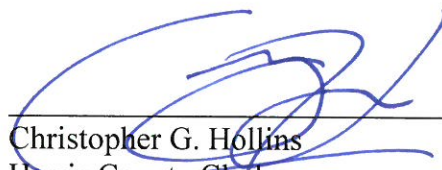
Harris County, Texas

127th Judicial District

DECLARATION

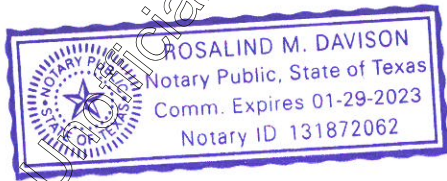
My name is Chris Hollins. I am over eighteen years of age, am of sound mind, and am capable of making this declaration. I am the duly appointed Harris County Clerk and the chief elections officer of Harris County, Texas.

I have read the above Verified Answer to Plaintiff's Original Verified Petition and Application for Temporary Restraining Order, Temporary Injunction and Permanent Injunction. I verify that the facts stated therein are within my personal knowledge and are true and correct.



Christopher G. Hollins
Harris County Clerk

Sworn and subscribed before me on September 8, 2020.





Notary Public, State of Texas