

CLOSED

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CIVIL DOCKET FOR CASE #: 1:13-cv-00955-SS**

Zahrn et al v. Perry et al
Assigned to: Judge Sam Sparks
Cause: 42:1983 Civil Rights Act

Date Filed: 10/31/2013
Date Terminated: 09/22/2015
Jury Demand: None
Nature of Suit: 950 Constitutional – State Statute
Jurisdiction: Federal Question

Plaintiff

Shannon Zahrn

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Plaintiff

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Plaintiff

Alexius Augustine

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Plaintiff

Andrew Simpson
on behalf of themselves and all others
similarly situated

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V.

Defendant

Rick Perry
in his official capacity as Governor of
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Defendant

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Defendant

Dana DeBeauvoir
*in her official capacity as County Clerk
of Travis County, Texas*

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Date Filed	#	Docket Text
10/31/2013	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief</i> (Filing fee \$ 400 receipt number 0542-5980553), filed by Shannon Zahn, Andrew Simpson, Alexius Augustine, Catherine Zahn. (Attachments: # <u>1</u> Civil Cover Sheet)(Steed, Jason) (Entered: 10/31/2013)
10/31/2013	<u>2</u>	NOTICE of <i>Constitutional Questions</i> by Alexius Augustine, Andrew Simpson, Catherine Zahn, Shannon Zahn re <u>1</u> Complaint (Steed, Jason) (Entered: 10/31/2013)
10/31/2013	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS by Alexius Augustine, Andrew Simpson, Catherine Zahn, Shannon Zahn. (Steed, Jason) (Entered: 10/31/2013)
10/31/2013		Case Assigned to Judge Sam Sparks. CM WILL NOW REFLECT THE JUDGE INITIALS (SS) AS PART OF THE CASE NUMBER: 1:13-cv-955-SS. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (kkc) (Entered: 10/31/2013)
10/31/2013	<u>4</u>	Summons Issued as to Greg Abbott, Dana DeBeauvoir, Rick Perry. (kkc) (Entered: 10/31/2013)
10/31/2013	<u>6</u>	MOTION to Appear Pro Hac Vice by Ian E. Pittman (Filing fee \$ 25 receipt number A428493) by Alexius Augustine, Andrew Simpson, Catherine Zahn, Shannon Zahn. (dm) (Entered: 11/01/2013)
10/31/2013	<u>7</u>	MOTION to Appear Pro Hac Vice by S. Leigh Jorgeson (Filing fee \$ 25 receipt number A428494) by Alexius Augustine, Andrew Simpson, Catherine Zahn, Shannon Zahn. (dm) (Entered: 11/01/2013)
11/01/2013	<u>5</u>	CERTIFICATE OF SERVICE by Alexius Augustine, Andrew Simpson, Catherine Zahn, Shannon Zahn <i>Amended Certificate of Service</i> <u>2</u> Notice (Other) (Steed, Jason) (Entered: 11/01/2013)
11/04/2013	<u>8</u>	SUMMONS Returned Executed by Shannon Zahn, Andrew Simpson, Alexius Augustine, Catherine Zahn. Greg Abbott served on 11/1/2013, answer due 11/22/2013; Dana DeBeauvoir served on 11/1/2013, answer due 11/22/2013; Rick Perry served on 11/1/2013, answer due 11/22/2013. (Steed, Jason) (Entered: 11/04/2013)
11/04/2013	<u>9</u>	ORDER GRANTING <u>7</u> Motion for S. Leigh Jorgeson to Appear Pro Hac Vice on behalf of Plaintiffs. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Sam Sparks. (klw) (Entered: 11/05/2013)
11/04/2013	<u>10</u>	ORDER GRANTING <u>6</u> Motion for Ian E. Pittman to Appear Pro Hac Vice on behalf of Plaintiffs. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Sam Sparks. (klw) (Entered: 11/05/2013)
11/18/2013	<u>11</u>	RESPONSE <i>Response to Defendants' Motion to Consolidate (filed in Case No. A13-CV-0631)</i> by Alexius Augustine, Andrew Simpson, Catherine Zahn, Shannon Zahn. (Steed, Jason) (Entered: 11/18/2013)

11/21/2013	<u>12</u>	<i>Defendants'</i> ANSWER to <u>1</u> Complaint by Greg Abbott, Rick Perry.(Deane, William) (Entered: 11/21/2013)
11/21/2013	<u>13</u>	Order for Proposed Scheduling Order. Plaintiff shall submit a proposed scheduling order to the Court within sixty (60) days after the appearance of any defendant. Proposed Scheduling Order due by 1/20/2014., Signed by Judge Sam Sparks. (dm) (Entered: 11/21/2013)
11/22/2013	<u>14</u>	<i>DEFENDANT DANA DEBEAUVOIR'S ANSWER TO PLAINTIFFS' COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF, AFFIRMATIVE DEFENSES</i> ANSWER to <u>1</u> Complaint by Dana DeBeauvoir.(Casas, Elaine) (Entered: 11/22/2013)
12/11/2013	<u>15</u>	ORDER, All Pending Matters/Status Conference set for 1/9/2014 02:00 PM before Judge Sam Sparks. Signed by Judge Sam Sparks. (dm) (Entered: 12/12/2013)
12/20/2013	<u>16</u>	NOTICE (<i>United States' Acknowledgement of Constitutional Challenge</i>) by United States Of America re <u>2</u> Notice (Other) (Lin, Jean) (Entered: 12/20/2013)
01/06/2014	<u>17</u>	Certificate of Service by Michael P. Murphy on behalf of Greg Abbott, Rick Perry. Attorney Michael P. Murphy added to party Greg Abbott(pty:dft), Attorney Michael P. Murphy added to party Rick Perry(pty:dft) (Attachments: # <u>1</u> Supplement Certificate of Service)(Murphy, Michael) Modified on 1/7/2014 (dm). (Entered: 01/06/2014)
01/06/2014	<u>18</u>	NOTICE of Attorney Appearance by Michael P. Murphy on behalf of Greg Abbott, Rick Perry (Murphy, Michael) (Entered: 01/06/2014)
01/09/2014	<u>19</u>	Minute Entry for proceedings held before Judge Sam Sparks: Status Conference held on 1/9/2014 (Minute entry documents are not available electronically.). (Court Reporter Lily Reznik.)(dm) (Entered: 01/10/2014)
01/10/2014	<u>20</u>	ORDERED that the parties shall have TEN (10) days from entry of this order to file letters with each other (and later with the Court) indicating the parties' respective expectations concerning scheduling matters. Signed by Judge Sam Sparks. (dm) (Entered: 01/13/2014)
01/23/2014	<u>21</u>	Transcript filed of Proceedings held on January 9, 2014, Proceedings Transcribed: All Pending Matters. Court Reporter/Transcriber: Lily I. Reznik, Telephone number: 512-391-8792. Parties are notified of their duty to review the transcript to ensure compliance with the FRCP 5.2(a)/FRCrP 49.1(a). A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a Notice of Redaction Request must be filed within 21 days. If no such Notice is filed, the transcript will be made available via PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed Redaction Request due 2/13/2014, Redacted Transcript Deadline set for 2/24/2014, Release of Transcript Restriction set for 4/23/2014, (Reznik, Lily) (Entered: 01/23/2014)
01/28/2014	<u>22</u>	ADVISORY TO THE COURT by Greg Abbott, Dana DeBeauvoir, Rick Perry. (Murphy, Michael) (Entered: 01/28/2014)
02/28/2014	<u>23</u>	MOTION to Certify Class <i>Plaintiff's Motion for Class Certification</i> by Alexius Augustine, Andrew Simpson, Catherine Zahn, Shannon Zahn. (Attachments: # <u>1</u> Exhibit Exhibits A-F, # <u>2</u> Proposed Order Proposed Order)(Steed, Jason) (Entered: 02/28/2014)
03/12/2014	<u>24</u>	MOTION to Stay Case by Greg Abbott, Rick Perry. (Attachments: # <u>1</u> Proposed Order Granting Stay Proceedings)(Murphy, Michael) (Entered: 03/12/2014)
04/17/2014	<u>25</u>	MOTION to Substitute Attorney <i>DEFENDANT DANA DEBEAUVOIR'S MOTION FOR SUBSTITUTION OF COUNSEL</i> by Dana DeBeauvoir. (Thomas, Sherine) (Entered: 04/17/2014)
04/21/2014	<u>26</u>	ORDER GRANTING <u>25</u> Motion to Substitute Attorney. Signed by Judge Sam Sparks. (dm) (Entered: 04/21/2014)
09/10/2014	<u>27</u>	ORDER DISMISSING <u>23</u> Motion to Certify Class; GRANTING <u>24</u> Motion to Stay Case. Signed by Judge Sam Sparks. (dm) (Entered: 09/10/2014)

02/19/2015	<u>28</u>	NOTICE of Filing Letter Advisory by Dana DeBeauvoir (Thomas, Sherine) (Entered: 02/19/2015)
02/19/2015	<u>29</u>	ATTACHMENT to Document 28, Letter Advisory to <u>28</u> Notice of Filing by Dana DeBeauvoir. (Thomas, Sherine) (Entered: 02/19/2015)
02/19/2015	<u>30</u>	DEFICIENCY NOTICE to Sherine Elizabeth Thomas: re <u>29</u> Attachment. Your document is deficient as it is not in proper pleading format (including case style and number and summary of what the pleading contains) and lacks a signature and certificate of service. Please file your Amended document in FULL Pleading Form with complete Certificate of Service and attach this document as an exhibit. (klw) (Entered: 02/19/2015)
02/19/2015	<u>31</u>	NOTICE of Filing Corrected Notice of Filing of Doc. #29 – Attachment to Letter Advisory Doc. #28 by Dana DeBeauvoir (Thomas, Sherine) (Entered: 02/19/2015)
07/16/2015	<u>32</u>	ORDERED that within fifteen (15) days of this date any party herein mustfile a pleading to show cause why this case should remain open and specify any factual or legal issue surviving in this cause. Signed by Judge Sam Sparks. (dm) (Entered: 07/16/2015)
07/20/2015	<u>33</u>	MOTION for Summary Judgment by Catherine Zahrn, Shannon Zahrn. (Attachments: # <u>1</u> Proposed Order)(Steed, Jason) (Entered: 07/20/2015)
07/22/2015	<u>34</u>	Response in Opposition to Motion, filed by Greg Abbott, Rick Perry, re <u>33</u> MOTION for Summary Judgment filed by Plaintiff Shannon Zahrn, Plaintiff Catherine Zahrn and Motion to Dismiss as Moot (Attachments: # <u>1</u> Proposed Order)(Deane, William) (Entered: 07/22/2015)
07/23/2015	<u>35</u>	REPLY to Response to Motion, filed by Catherine Zahrn, Shannon Zahrn, re <u>33</u> MOTION for Summary Judgment filed by Plaintiff Shannon Zahrn, Plaintiff Catherine Zahrn (Steed, Jason) (Entered: 07/23/2015)
07/24/2015	<u>36</u>	REPLY In Support of Motion to Dismiss as Moot by Greg Abbott, Rick Perry. (Deane, William) (Entered: 07/24/2015)
08/06/2015	<u>37</u>	SUPPLEMENT to <u>33</u> MOTION for Summary Judgment by Catherine Zahrn, Shannon Zahrn. (Steed, Jason) (Entered: 08/06/2015)
08/10/2015	<u>38</u>	ORDER, setting hearing for all pending matters on 8/21/2015 02:00 PM before Judge Sam Sparks. Signed by Judge Sam Sparks. (td) (Entered: 08/11/2015)
08/19/2015	<u>39</u>	RESPONSE to <u>37</u> Supplement by Greg Abbott, Rick Perry. (Murphy, Michael) (Entered: 08/19/2015)
08/21/2015	<u>40</u>	Minute Entry for proceedings held before Judge Sam Sparks: Hearing held on 8/21/2015 (Minute entry documents are not available electronically.). (Court Reporter Lily Reznik.)(dm) (Entered: 08/21/2015)
09/04/2015	<u>41</u>	STIPULATION of Dismissal <i>By and Among the Parties</i> by Greg Abbott, Rick Perry. (Deane, William) (Entered: 09/04/2015)
09/22/2015	<u>42</u>	ORDERED that the Stipulation of Dismissal [#41] is GRANTED in all respectsand this lawsuit is hereby DISMISSED with prejudice. Signed by Judge Sam Sparks. (dm) (Entered: 09/23/2015)