

Mayor's Update: State of Texas vs. City of Double Horn

On April 3rd, 2019 the Honorable Judge Stubbs, 424th Judicial District Court, Burnet County, Texas denied the State's petition (State of Texas vs. City of Double Horn, #49209) in a **clear victory for the City of Double Horn**. Unfortunately, by filing an appeal, the State of Texas has decided to continue to use our valuable tax dollars to prolong this fight despite clear evidence that the City of Double Horn met the requirements for incorporation.

On August 5th, in response to the State's appeal, the attorneys representing the City of Double Horn filed a brief in the Third District Court of Appeals of Texas at Austin. The City of Double Horn is well represented by Messer, Fort and McDonald, a law firm with over 350 combined years of municipal law experience. Our attorney's brief lays out a conclusive argument that the State's case and appeal has no merit and the District Court properly denied the state's petition

Additionally, in an unprecedented move, the Texas Municipal League (TML) and the International Municipal Lawyer's Association (IMLA) filed an Amicus brief in **support of the City of Double Horn**.

In their brief TML and IMLA made it clear their position is that the District Court (Judge Stubbs) **did not err in denying The State of Texas' Petition** and respectfully urged the Appeals Court to affirm the decision of the District Court.

TML is a non-profit association representing over 1,160 incorporated cities and provides legislative, legal and educational services to its members. The IMLA, established in 1935 is a non-profit, non-partisan professional organization consisting of more than 3,000 members including local government entities, cities, counties, state municipal leagues and individual attorneys. Clearly, the City of Double Horn has state-wide and even national support as this case is so egregious.

I would strongly encourage all citizens of Double Horn and interested parties to read both briefs which for your convenience, have been posted on the City of Double Horn's website:

<https://www.doublehorntx.org> under the "News & Events" tab.

Please read: Double Horn Appellees Brief (Final) 8/5/19

TML-IMLA Double Horn Amicus Brief 8/5/19

(Do not be discouraged by the length of some of these documents as many of the pages are Appendix materials!)

After reading these important documents I believe you will understand the Council's position; **the case against the City of Double Horn has no merit and the City will ultimately prevail.**

While we are well represented by an excellent legal team, our City Council members along with the City Secretary have worked long hours for many months assisting our legal team to present the required paperwork and critical facts that support our city, our incorporation. Many individuals dedicated large amounts of time with only one goal – to protect the Citizens of Double Horn. As Mayor, I would like to publicly thank all of them and ask you to join me in doing the same.

What's next – we wait for a decision from the Third District Court of Appeals for which there is no set schedule currently. I will provide an update as soon as new information is available.