

OCT 29 2015

CAUSE NO 2010-81591

Time \_\_\_\_\_  
Harris County Texas

By S. Perez

ALLEN MARK DACUS and ELIZABETH §  
C PEREZ §  
Contestants, §  
v §  
ANNISE D PARKER, MAYOR and §  
CITY OF HOUSTON, §  
Contestees §

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

234th JUDICIAL DISTRICT

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DC  
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**FINAL SUMMARY JUDGMENT**

On this day came on to be heard Allen Mark Dacus and Elizabeth C Perez (“Contestants”) Traditional Motion for Final Summary Judgment against Annise D Parker, Mayor, and City of Houston (“Contestees”) The Court finds that Contestants’ Traditional Motion for Final Summary Judgment should be in all things GRANTED It is therefore,

ORDERED, ADJUDGED and DECREED that Contestants’ Traditional Motion for Final Summary Judgment is hereby GRANTED It is further,

ORDERED, ADJUDGED, and DECREED that, pursuant to Chapter 233 of the Texas Election Code and other applicable law, the City of Houston charter amendment election held on November 2, 2010 and canvassed on November 15, 2010 for Proposition 1 (hereafter “Proposition 1”) is void Specifically, the ballot language for the now void election for Proposition 1 read, as follows

**PROPOSITION NO 1 - CHARTER AMENDMENT PROPOSITION**  
Relating to the Creation of a Dedicated Funding Source to Enhance, Improve and Renew Drainage Systems and Streets Shall the City Charter of the City of Houston be amended to provide for the enhancement, improvement and ongoing renewal of Houston's drainage and streets by creating a Dedicated Pay-As-You- Go Fund for Drainage and Streets?

It is further,

**RECORDER'S MEMORANDUM**  
This instrument is of poor quality  
at the time of imaging

ORDERED, ADJUDGED, and DECREED that, pursuant to Section 233 012(a) of the Texas Election Code, the election for Proposition 1 is void "as if the election has not been held" It is further,

ORDERED, ADJUDGED, and DECREED that, pursuant to Section 233 011 of the Texas Election Code, the City of Houston or appropriate authorities on its behalf are hereby required to order a new election for Proposition 1

Any and all relief sought in this cause which is not expressly granted herein is denied This judgment is final and appealable

Pursuant to Texas Election Code section 233 003(c), Allen Mark Dacus and Elizabeth C Perez shall pay all costs incurred

SIGNED this 29th day of October, 2015

  
JUDGE PRESIDING

Unofficial Copy Office of Chris Daniel District Clerk

**APPROVED AS TO FORM AND SUBSTANCE  
AND ENTRY REQUESTED**

**HOOVER SLOVACEK LLP**

By /s/ Joseph O Slovacek  
Joseph O Slovacek  
State Bar No 18512300  
slovacek@hooverslovacek.com

By /s/ Dylan B Russell  
Dylan B Russell  
State Bar No 24041839  
russell@hooverslovacek.com  
Galleria Tower II  
5051 Westheimer, Suite 1200  
Houston, Texas 77056  
Tel (713) 977-8686  
Fax (713) 977-5395

**ATTORNEYS FOR CONTESTANTS**

**ANDY TAYLOR & ASSOCIATES, P C**

By /s/ Andy Taylor  
William "Andy" Taylor  
State Bar No 19727600  
ataylor@andytaylorlaw.com  
2668 Highway 36 S , #288  
Brenham, Texas 77833  
Tel (713) 222-1817  
Fax (713) 222-1855

**CO-COUNSEL FOR CONTESTANTS**