

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

July 30, 2008

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No. 07-51064  
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Charles R. Fulbruge III  
Clerk

TEXAS DEMOCRATIC PARTY; BOYD L RICHIE, in his capacity as  
Chairman of the Texas Democratic Party

Plaintiffs-Appellants

v.

ROGER WILLIAMS, in his capacity as Secretary of State for the State of  
Texas

Defendant-Appellee

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:07-CV-115  
\_\_\_\_\_

Before JOLLY, CLEMENT, and OWEN, Circuit Judges.

PER CURIAM:\*

We have reviewed the briefs, pertinent portions of the record, and the applicable law and have heard the arguments of counsel. We find no reversible error in the district court's grant of summary judgment, especially in the light of the Supreme Court's recent decision in Crawford v. Marion County Election Board, 128 S. Ct. 1610 (2008), which confirms that the district court

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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appropriately applied the balancing test of *Anderson v. Celebrezze*, 460 U.S. 780 (1983), and *Burdick v. Takushi*, 504 U.S. 428 (1992), to the constitutional claims raised. The summary judgment is AFFIRMED, essentially for the reasons given by the district court in its well-considered opinion.