

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-16-00052-CV**

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**Nakisha Paul, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; Dr. Edna Courville, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; Dr. Richard Hooker, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; Edward Crawford, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; and Terry Pettijohn, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District, Appellants**

**v.**

**Mike Morath, in his Official Capacity as Commissioner of Education  
and/or his Successor, Appellee<sup>1</sup>**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 200TH JUDICIAL DISTRICT  
NO. D-1-GN-15-005833, HONORABLE AMY CLARK MEACHUM, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

La Marque Independent School District Trustees, Nakisha Paul, Edna Courville, Richard Hooker, Edward Crawford, and Terry Pettijohn (the Trustees) appeal the trial court's denial

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<sup>1</sup> Michael Williams was the Commissioner of Education when the underlying suit was filed. Williams's successor, Mike Morath, has been automatically substituted as a party. *See* Tex. R. App. P. 7.2(a).

of their request for temporary injunction in their suit against Mike Morath, in his Official Capacity as Commissioner of Education. In an opinion dated this same day in cause number 03-16-00062-CV, Mike Morath, in his Official Capacity as Commissioner of Education and/or his Successor v. La Marque Independent School District; Nakisha Paul, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; Dr. Edna Courville, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; Dr. Richard Hooker, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; Edward Crawford, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District; and Terry Pettijohn, Individually and as an elected Board Member of the La Marque Independent School District Board of Trustees and as a resident and taxpayer of the La Marque Independent School District, we dismiss the Trustees' claims for lack of subject matter jurisdiction. While we agree with the trial court's decision to deny the Trustees' request for temporary injunction, we do so for a different reason. Because we conclude in cause number 03-16-00062-CV that the trial court lacks jurisdiction over the Trustees' claims, we vacate the trial court's order denying the Trustee's request for temporary injunction in the respect that the trial court incorrectly concluded it possessed subject matter jurisdiction over the Trustees' underlying claims and dismiss.

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Melissa Goodwin, Justice

Before Justices Puryear, Goodwin, and Field

Vacated and Dismissed

Filed: June 24, 2016