

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

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|--|---|---------------------------------------|
| CITY OF EL CENIZO, TEXAS, <i>ET AL.</i> | § | |
| PLAINTIFFS, | § | |
| | § | |
| TRAVIS COUNTY, | § | |
| TRAVIS COUNTY JUDGE SARAH | § | CIVIL CASE NO. 5:17-CV-404-OLG |
| ECKHARDT, AND | § | |
| TRAVIS COUNTY SHERIFF | § | |
| SALLY HERNANDEZ | § | |
| PLAINTIFF-INTERVENORS, | § | |
| | § | |
| V. | § | |
| | § | |
| STATE OF TEXAS, <i>ET AL.</i> | § | |
| DEFENDANTS. | § | |

**PLAINTIFF-INTERVENOR-TRAVIS COUNTY’S
APPLICATION FOR PRELIMINARY INJUNCTION**

Plaintiff-Intervenors, Travis County, Travis County Sheriff Sally Hernandez (in her official capacity) and Travis County Judge Sarah Eckhardt (in her official capacity) (Hereafter “Travis County Plaintiff Intervenors”) hereby join the Application for Preliminary Injunction filed in this cause by Plaintiffs City of El Cenizo, *et al.*, and adopt by reference Plaintiffs’ declarations and Memorandum in Support of Plaintiffs’ Application for Preliminary Injunction. [DKT 24].

Travis County Plaintiff-Intervenors offer the additional declaration of Travis County Sheriff Sally Hernandez, attached hereto as Ex. 1, to support Travis County Plaintiff Intervenors Application for Preliminary Injunction. Sheriff Hernandez has provided information about the particular harm she has suffered and her perspective as a target of the State’s legislation, SB 4.

(See attached Declaration. Ex. 1). In her Declaration, Sheriff Hernandez addresses numerous issues related to SB 4 including the effect of SB 4's detainer provision on the Travis County Jail.

As set forth in the Memorandum, [DKT 24] Plaintiffs have established that they and Travis County Plaintiff-Intervenors are likely to succeed on the merits of their claims that SB 4 violates the Constitution; that Plaintiffs and Travis County Plaintiff-Intervenors, will suffer irreparable harm if the Court does not enjoin SB 4; that the Defendants will suffer no harm if the Court preserves the status quo pending adjudication of this matter on the merits; that the balance of hardships tips strongly in favor of Plaintiffs and Travis County Plaintiff-Intervenors and that a preliminary injunction in this case advances the public interest.

So as to not to delay the proceeding, for these reasons, and the reasons detailed in Plaintiffs' Memorandum in Support of Plaintiffs' Application for Preliminary Injunction, Travis County Plaintiff-Intervenors respectfully request that the Court grant the Plaintiff Intervenors Travis County, Travis County Judge Sarah Eckhardt and Travis County Sheriff Hernandez's Application for Preliminary Injunction.

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Dated: June __, 2017

Respectfully Submitted,

DAVID A. ESCAMILLA

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CERTIFICATE OF SERVICE

I hereby certify that on June, 12, 2017, the foregoing Opposed Motion to Intervene was served on the following attorneys of record in the manner stated, pursuant to Fed. R. Civ. P. 5(b):

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Plaintiff-Intervenors'
Application for Preliminary Injunction
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