

09-24-00093-CV

No. _____

In the Court of Appeals for the
Ninth Judicial District of Texas at Beaumont

IN RE SHANA R. ARTHUR,

Relator

Original Proceeding Pursuant to
Texas Election Code Section 273.061(a)

Petition for Writ of Mandamus Record

Cris Feldman
Derek D. Bauman
Kimberly Dang
FELDMAN & FELDMAN, P.C.
3355 W. Alabama St., Suite 1220
Houston, Texas 77098
713.986.9471 (telephone)
713.986.9472 (facsimile)

Attorneys for Shana R. Arthur

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2024, a true and correct copy of the foregoing has been served on counsel below via e-service.

Soco M. Gorjon
City Secretary for City of Conroe
300 W. Davis
Conroe, Texas 77301
citysecretary@cityofconroe.org
Respondent

Raj Aujla
MAYNARD NEXSEN, P.C.
7373 N. Broadway St., Suite 403, Office 1 & 2
San Antonio, Texas 78209
raujla@maynardnexsen.com
Attorney for Curtis Maddux

Betty Avery
3110 Soaring Pines Trail
Conroe, Texas 77301
bettyborenavery@outlook.com
Real Party in Interest

/s/ Derek D. Bauman

Derek D. Bauman

VERIFICATION

STATE OF TEXAS

§

§

HARRIS COUNTY

§

Before me, the undersigned notary, on this day personally appeared Derek D. Bauman, the affiant, whose identity is known to me. After I administered an oath, affiant testified as follows:

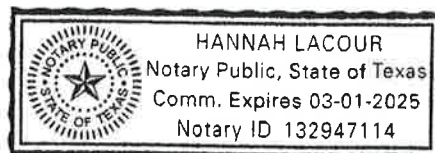
1. "My name is Derek D. Bauman. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated are within my personal knowledge and are true and correct.

2. I am an attorney for Relator Shana R. Arthur. All the documents included in the Petition for Writ of Mandamus Record are true and correct copies of what they purport to be."

Derek D. Bauman
Derek D. Bauman

Sworn to and subscribed before me by Derek D. Bauman on 3/12/24.

Hannah Lacour
Notary Public in and for
The State of Texas
My commission expires: 3/01/25



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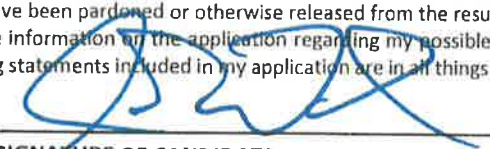


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Tab 1

Curtis Maddux Application for a Place on the Ballot
January 17, 2024


APPLICATION FOR A PLACE ON THE BALLOT FOR A GENERAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE <u>City of Conroe</u> GENERAL ELECTION BALLOT					
TO: City Secretary/Secretary of Board (Name of election)					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) <u>City Council Pos 2</u>				INDICATE TERM <input checked="" type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last) <u>Curtis L. Maddux</u>			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* <u>Curt Maddux</u>		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.) <u>104 Timberside Drive</u>			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY <u>Conroe</u>		STATE <u>TX</u>	ZIP <u>77304</u>	CITY	STATE
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) <u>curtmadduxcampaign@gmail.com</u>		OCCUPATION (Do not leave blank) <u>VP Conroe Golf Cabs</u>		DATE OF BIRTH	VOTER REGISTRATION VOID NUMBER ² (Optional) <u>1127838222</u>
TELEPHONE CONTACT INFORMATION (Optional) Home: <u>936 203 0581</u> Office: <u>936 539-2554</u> Cell: <u>936 203 0581</u>					
FELONY CONVICTION STATUS (You MUST check one) <input checked="" type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³			LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN IN THE STATE OF TEXAS <u>55</u> year(s) <u>6</u> month(s)		
			IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED <u>48</u> year(s) <u>6</u> month(s)		
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) <u>Curt Maddux</u> , who being by me here and now duly sworn, upon oath says: "I, (name of candidate) <u>Curt Maddux</u> , of <u>Montgomery</u> County, Texas, being a candidate for the office of <u>Position 2</u> , swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
X  SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the <u>17th</u> day of <u>January</u> , <u>2024</u> , by <u>Curt Maddux</u> . (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath ⁴ <u>Pamela J. Brown</u>			Printed Name of Officer Authorized to Administer Oath <u>Pamela J. Brown</u>		
Title of Officer Authorized to Administer Oath <u>Administrative Assistant</u>					
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$ <u>0</u> filing fee or a nominating petition of <u>0</u> pages received. <input checked="" type="checkbox"/> Voter Registration Status Verified					
Date Received <u>1, 17, 2024</u> <u>8:00 am</u>		Date Accepted <u>1, 17, 2024</u>		(See Section 1.007)  Signature of Filing Officer or Designee	

Tab 2

City of Conroe Instructions for Application for a Place on the Ballot
undated

TO : Candidates ~ General Election, May 4, 2024
FROM : Soco M. Gorjón, City Secretary 
SUBJECT : Application for General Election for May 4, 2024

Enclosed in this folder is a copy of:

APPLICATION FOR A PLACE ON THE CITY OF CONROE GENERAL ELECTION BALLOT

- This application must be submitted within the filing dates of January 17, 2024 through February 16, 2024 (5 p.m.) in the Office of the City Secretary in order for your name to be included on the ballot. Instructions for completing the form are also included. Please pay close attention to information that is required and information that is optional. **Failure to complete the required information will cause the application to become invalid.**

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

- This form designates a treasurer for your campaign finances. You may designate yourself as treasurer, but the form must still be completed and filed. Also, you **may not make expenditures or receive contributions until this form has been filed in the Office of the City Secretary.** The second page of the form has a provision for Modified Reporting. This indicates you will not be receiving nor spending more than \$1,010 during the election cycle. In certain circumstances this will allow you to avoid having to file the report 30 days and 8 days before the election. Selection of Modified Reporting is optional. The enclosed instructions relating to appointment of a campaign treasurer also address Modified Reporting. This form may be filed at the same time as your application for a place on the ballot or earlier if you plan to make expenditures or receive contributions.

CODE OF FAIR CAMPAIGN PRACTICES & ELECTION CODE CHAPTER 258

- This is a voluntary form. The Election Code, Chapter 258, requires that I provide you with a copy of the form and a copy of Chapter 258, but the choice of whether or not to file it is the responsibility of the candidate. Chapter 258 will advise you on the requirements of the form.

Once the application for a place on the ballot has been completed and filed in the Office of the City Secretary, you will be provided with a complete campaign packet containing various informational items, along with all the forms for financial reporting you will need. It will also contain a letter from this office that will answer most of your questions regarding election do's and don'ts. **Please make yourself familiar with this information.**

Should you have other questions or need further information, please do not hesitate to contact our office at 936.522.3011 or 3012.

*Ethics Commission – 512.463.5800

*Secretary of State – 800.252.8683 (VOTE)
512.463.5650

APPLICATION FOR A PLACE ON THE BALLOT FOR A GENERAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE _____ GENERAL ELECTION BALLOT					
TO: City Secretary/Secretary of Board _____ (name of election)					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)			INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED		
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)	DATE OF BIRTH / /	VOTER REGISTRATION VUID NUMBER ² (Optional)	
TELEPHONE CONTACT INFORMATION (Optional)					
Home:		Office:		Cell:	
FELONY CONVICTION STATUS (You MUST check one)			LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN		
<input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³			IN THE STATE OF TEXAS _____ year(s) _____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED _____ year(s) _____ month(s)
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
X _____					
SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the _____ day of _____, by _____, (name of candidate)					
Signature of Officer Authorized to Administer Oath ⁴			Printed Name of Officer Authorized to Administer Oath		
Notarial or Official Seal					
Title of Officer Authorized to Administer Oath					
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
Date Received		Date Accepted		(See Section 1.007)	
				Signature of Filing Officer or Designee	

INSTRUCTIONS

An application for a place on the general election for a city, school district or other political subdivision, may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void. All fields of the application **must** be completed unless specifically marked optional.

For an election to be held on a uniform election date, the day of the filing deadline is the 78th day before Election Day.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to the officer, or to any other member of the governing body or court on which the officer serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at an election other than the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

FOOTNOTES

¹An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

²Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

³Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

One of the following documents must be submitted with this application.

Judicial Clemency under Texas Code of Criminal Procedure 42A.701

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

⁴All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

**SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL
 PARA UNA CIUDAD, DISTRITO ESCOLAR U OTRA SUBDIVISIÓN POLÍTICA**

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL¹ El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE _____					
Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo			(nombre de la elección)		
Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación.					
CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			INDIQUE TÉRMINO. <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO		
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA*		
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia; describa la ubicación de la residencia.)			DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		OCUPACIÓN (No deje este espacio en blanco)	FECHA DE NACIMIENTO / /	VUID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE ² (Opcional)	
INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Hogar: _____ Trabajo: _____ Celular: _____					
ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)			DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA		
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³			EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es)	EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es)	
*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.					
Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: "Yo, (nombre del candidato) _____, del condado de _____ Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."					
X _____ FIRMA DEL CANDIDATO					
Jurado y suscrito ante mí este día _____ de _____ del _____ por _____ (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento ⁴			Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial		
Título del oficial autorizado para administrar el juramento					
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$ _____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
Date Received		Date Accepted		(See Section 1.007) _____ Signature of Filing Officer or Designee	

INSTRUCCIONES

Una solicitud para un lugar en la elección general para una ciudad, distrito escolar u otra subdivisión política, no puede ser presentada antes de los 30 días antes de la fecha límite prescrita por este código para presentar la solicitud. Una solicitud presentada antes de ese día es nula. Todos los campos de la solicitud **deben** completarse a menos que estén específicamente marcados como opcional.

Para una elección que se lleve a cabo en una fecha de elección uniforme, el día de la fecha límite de presentación es el 78º día antes del día de la elección.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con sí mismo, o con cualquier otro miembro del órgano de gobierno o corte en el que se desempeña cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

NOTAS

¹Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

²La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la División de Elecciones de la Secretaría de Estado para obtener información adicional. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

³La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

Se debe enviar uno de los siguientes documentos con esta solicitud:

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701

Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01

Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

⁴Todos los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier corte de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código del Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

Tab 3

Letter from Soco Gorjon regarding applications challenges
March 8, 2024

Garner, Michael

From: Gorjon, Soco
Sent: Friday, March 08, 2024 5:44 PM
To: Czajkoski, Jody; Maddux, Curt; Yancey, Todd; Hardman, Harry; Wood, Howard; Porter, Marsha; Scott, Gary; Garner, Michael; Dominguez, Catherine
Subject: 2024 Conroe City Election Challenge
Attachments: 2024_03_08_17_23_29.pdf

Good afternoon,

Attached please find my response letter for the 2024 Conroe City Election Challenge received from Catherine Dominguez, Suburban reporter-producer, The Courier of Montgomery County and Houston Chronicle.

Sincerely,



Soco M. Gorjon
City Secretary
City of Conroe
300 W. Davis
Conroe TX 77301
Ph 936-522-3011
Ex 936-522-3009
sgorjon@cityofconroe.org

**"To protect and serve the citizens of Conroe
and exceed their expectations."**



CITY OF CONROE

Est. 1904

March 8, 2024

Good afternoon,

The City Secretary's Office is in receipt of an application challenge for the City of Conroe 2024 General Election; below you will find this Office's determination.

I have worked for the City for 32 years. Prior to becoming the City Secretary, I was the Assistant City Secretary, trained by my predecessor as to normal standard operating procedures for this office which had been in place for decades. During this time, I worked under the direction of Mayor Tommy Metcalf and during this time I also acted as acting City Secretary in the absence of our City Secretary. I have been appointed City Secretary for 8 years and worked in this capacity under the administration of Mayor Webb Melder, Mayor Toby Powell, and current Mayor Jody Czajkoski, and have maintained the City of Conroe's standard operating procedures and protocols that I was trained for. I serve in this capacity with great pride and integrity.

Candidate Application: The Legal Division of the Secretary of State has confirmed that candidate applications can be received in many different ways. I was instructed by the elected officials to retrieve their applications from their desk to officially receive them.

Notarizations: The Legal Division of the Secretary of State has confirmed that my office was following standard operating office procedures that had been in place for decades. To prevent future complaints, the Secretary of State has recommended that the City of Conroe notarize documents with elected officials as specified in the code rather than City of Conroe's standard operating procedures that were in place.

Occupation: According to case law provided by the Interim City Attorney Mike Garner; "in order to protect the public interest in public offices being decided by fair and vigorous elections and not technicalities leading to default", I am not invalidating the application based on this technicality.

I received 10 candidate applications during the filing period and I have accepted all applications.

Sincerely,

A handwritten signature in black ink, appearing to read "Soco M. Gorjon", written over a horizontal line.

Soco M. Gorjon
City Secretary

Tab 4

Email from Shana R. Arthur regarding
challenge to Curtis Maddux Application
March 10, 2024

From: Shana Arthur
Sent: Sunday, March 10, 2024 8:46 PM
To: Gorjon, Soco <sgorjon@cityofconroe.org>
Cc: mgarner@cityofconroe.org
Subject: 2024 Conroe City General Election Challenge

Ms. Gorjon,

This past Friday, you made statements to the Houston Chronicle that the application filed by Mr. Maddux for Place 2 in the City of Conroe 2024 General Election was not notarized and sworn to. That same day, I later received a letter on City of Conroe letterhead from you stating you would not reject any of the ten applications you received for this “technicality.”

I am specifically asking you to reconsider your decision as to Mr. Maddux’s application filed in January as not being notarized and sworn to as required under Section 141.031 of the Texas Election Code.

Please notify me by close of business Monday (March 11th) as to whether you accept or reject this challenge to reject Mr. Maddux’s application for reasons above.

Shana Arthur

Tab 5

Letter from Soco Gorjon regarding Curtis Maddux Application challenge
March 12, 2024



CITY OF CONROE

Est. 1904

March 12, 2024

Good Morning Mrs. Arthur,

The City Secretary's Office is in receipt of your 2024 Conroe City Election application challenge. Below you will find this Office's determination.

As you know, I have worked for the City for 32 years. Prior to becoming the City Secretary, I was the Assistant City Secretary, trained by my predecessor as to normal standard operating procedures for this office which had been in place for decades. During this time, I worked under the direction of Mayor Tommy Metcalf and also acted as acting City Secretary in the absence of our City Secretary. I have been appointed City Secretary for 8 years and worked in this capacity under the administration of Mayor Webb Melder, Mayor Toby Powell, and current Mayor Jody Czajkoski. I have maintained the City of Conroe's standard operating procedures and protocols that I was trained for. I serve in this capacity with great pride and integrity.

Notarizations: The Legal Division of the Secretary of State has confirmed that my office was following standard operating office procedures that had been in place for decades. To prevent future complaints, the Secretary of State has recommended that the City of Conroe notarize documents with elected officials as specified in the code rather than City of Conroe's standard operating procedures that were in place.

I received 10 candidate applications during the filing period and I have accepted all applications.

Sincerely,

Soco M. Gorjon
City Secretary

Tab 6

Notice of Deadline to File an Application
January 11, 2024

**NOTICE OF DEADLINE TO FILE AN APPLICATION FOR PLACE ON THE BALLOT
CITIES, SCHOOL DISTRICTS AND OTHER POLITICAL SUBDIVISION**

**AVISO DE FECHA LÍMITE PARA PRESENTAR UNA SOLICITUD PARA UN LUGAR EN LA BOLETA
PARA CIUDADES, DISTRITOS ESCOLARES Y OTRAS SUBDIVISIONES POLITICAS**

Notice is hereby given that an application for a place on the City of Conroe
General Election ballot may be filed as indicated below:

(Se da aviso por la presente que una solicitud para un lugar en la boleta de la Elección General de la Ciudad de
Conroe puede ser presentada como se indica a continuación:)

Filing Dates and Times:
(Fechas y Horario para Entregar Solicitudes:)

Start Date: January 17, 2024
(Fecha de Inicio)

End Date: February 16, 2024
(Fecha Límite)

Office Hours: Mon-Thurs. 7:30 a.m. to 5:30 p.m./8:00 a.m. to 5:00 p.m. on Friday
(Horario de Oficina)

For purposes of the filing deadline (February 16th) for an Application for Place on the Ballot, the application must be presented in person, faxed, and/or emailed to the Office of the City Secretary no later than 5:00 p.m. on that date.

Plazo de presentación de una solicitud para un lugar en la boleta electoral es no más tarde de las 5:00 p.m. de la fecha limite (16 de Febrero) y debe ser presentada en persona, fax, y/o correo electrónico, a la Oficina de la Secretaria de la Ciudad.

Physical address for filing an application in person for place on the ballot:
(Dirección física para presentar una solicitud en persona para un lugar en la boleta)

300 West Davis St., 3rd Floor Conroe, TX 77301

Address to mail an application for place on the ballot (if filing by mail):
(Dirección a donde enviar una solicitud para un lugar en la boleta (en caso de presentar por correo):

P. O. Box 3066 Conroe, TX 77305

Email and Fax Number to send an application for place on the ballot: If a filing fee is submitted, the application may not be faxed or emailed.

(Dirección de correo electrónico o número de fax para enviar una solicitud para un lugar en la boleta: Si un pago de inscripción es presentada, la solicitud no puede ser enviada por correo electrónico o fax.):

sgorjon@cityofconroe.org

Fax # 936-522-3009

Soco M. Gorjon
Printed Name of Filing Officer or Designee
(Nombre en letra de molde del Oficial de Archivos o Persona Designada)


Signature of Filing Officer or Designee
(Firma del Oficial de Archivos o Persona Designada)

12/18/2023
Date Posted
(Fecha archivada)

1/11/2024
Revised Date Posted
(Fecha archivada-Revisada)

Tab 7

Ordinance No. 2692-24 ordering general election
February 8, 2024

ORDINANCE NO. 2692-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CONROE, TEXAS, ORDERING A GENERAL ELECTION FOR MUNICIPAL OFFICERS TO BE CONDUCTED ON MAY 4, 2024; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

WHEREAS, it is necessary to order a General Election for the purpose of electing a Mayor and Council Member Places 1 and 2 for the City of Conroe, Texas;

WHEREAS, an election is hereby ordered to be held within the City of Conroe, Texas on Saturday, May 4, 2024, to elect a Mayor and Council Member Places 1 and 2 for the City of Conroe, Texas.

WHEREAS, pursuant to Texas Election Code Section §31.092, the City Council has contracted with the Elections Administrator of Montgomery County to obtain election services for the City of Conroe:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONROE, TEXAS:

Section 1. The City Council orders a General Election to be held within the City of Conroe, Texas on Saturday, May 4, 2024 to elect a Mayor and Conroe City Council Member Places 1 and 2.

Section 2. Early voting by personal appearance will be conducted on each day from April 22, 2024 through April 27, 2024 from 8:00 a.m. to 5:00 p.m. and April 29 and April 30, 2024 from 7:00 a.m. to 7:00 p.m. The main early voting polling place shall be in the Central Library, located at 104 I-45 North in Conroe, Texas 77301. See Exhibit A for additional early voting polling places.

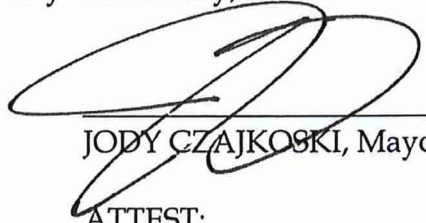
Section 3. Election day voting by personal appearance will be conducted May 4, 2024 between the hours of 7:00 a.m. and 7:00 p.m. in the attached Exhibit B polling locations.

Section 4. Suzie Harvey shall serve as Early Voting Clerk and shall provide such other election services as provided in the election services contract. Applications for ballot by mail shall be mailed to: Suzie Harvey, Montgomery County Elections Administrator, Post Office Box 2646, Conroe, Texas 77305-2646 and must be received no later than 5:00 pm on April 23, 2024.

Section 5. The City Secretary shall prepare all notices of the election and take such other actions as may be necessary to cooperate with the Elections Administrator in the conduct of the election.

Section 6. This ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED this 8th day of February, 2024.



JODY CZAJKOSKI, Mayor

APPROVED AS TO FORM:

ATTEST:



MICHAEL T. GARNER, Int. City Attorney



SOCO M. GORJON, City Secretary



EXHIBIT A
 Montgomery County
 May 4, 2024 Joint Election
 Early Voting Polling Locations and Times

April 22 – 27	Monday	–	Saturday	8:00 am	–	5:00 pm
April 29 – 30	Monday	–	Tuesday	7:00 am	–	7:00 pm

Polling Location <i>Sitio de Votación</i>	Address <i>Dirección</i>	Room <i>Sala</i>
Central Library (Main Early Voting Polling Place) (<i>Sitio Principal Electoral de Votación Adelantada</i>)	104 I-45 North Conroe 77301	Large Meeting Room <i>Sala grande de juntas</i>
North Montgomery County Community Center	600 Gerald Street Willis 77378	Community Room 102 and 103 <i>Sala comunitaria 102 y 103</i>
Lone Star Community Center	2500 Lone Star Parkway Montgomery 77356	Cissy Boulware Room <i>Sala Cissy Boulware</i>
West Montgomery County Community Development Center	31355 Friendship Drive Magnolia 77355	Green Room <i>Sala verde</i>
Magnolia Event Center	11659 FM 1488 Magnolia 77354	LGI 1 <i>LGI 1</i>
Shenandoah Municipal Complex	29955 I-45 North Shenandoah 77381	Council Chambers <i>Cámara del Consejo</i>
Spring Creek Greenway Nature Center	1300 Riley Fuzzel Road Spring 77386	Community Room <i>Sala comunitaria</i>
East Montgomery County Fair Association Building	21675A McCleskey Road New Caney 77357	Main Room <i>Sala principal</i>
East Montgomery County Community Development Center	16401 First Street, Suite 100 Splendora 77372	Hayden and Dunn Conference Rooms <i>Salas de conferencia Hayden y Dunn</i>
(Special Forms of Early Voting and Ballot by Mail only;) (<i>Formas Especiales de Votación Adelantada, y Boleta por Correo solamente:</i>) Election Central	9159 Airport Road Conroe 77303	Lobby <i>Vestíbulo</i>

**MONTGOMERY COUNTY ELECTIONS
EXHIBIT B
ELECTION DAY POLLING LOCATIONS****

Polling places listed below will be open from 7:00 a.m. to 7:00 p.m. on May 4, 2024 for voting in a General Election to elect a Mayor and City Council Members for Places 1 and 2.

City of Conroe					
PCT	Polling Location	Suspense	Active	Total	PCT
*01	Willis Community Building	78	1,439	1,517	*01
*02	Conroe Seventh-Day Adventist Church	233	3,170	3,403	*02
10	Booker T. Washington High School	212	2,649	2,861	10
*11	Lake Conroe Forest Community Building	94	1,377	1,471	*11
*15	Cornerstone Church	34	655	689	*15
*17	First Baptist Church Groceville			0	*17
20	Travis Intermediate School	166	2,121	2,287	20
*21	Conroe High School Ninth Grade Campus	700	3,448	4,148	*21
*25	Grangerland Community Center	4	92	96	*25
27	Rivershire Club House	388	2,187	2,575	27
*31	Shenandoah Municipal Complex			0	*31
*34	Needham Fire and Rescue Station 64			0	*34
*38	Montgomery County West Annex	6	132	138	*38
*39	Oak Hills Junior High School			0	*39
*40	Harold Cryar Intermediate School	543	4,634	5,177	*40
*43	Panorama Village City Hall	226	2,816	3,042	*43
*44	The Lone Star Convention Center	352	2,756	3,108	*44
*50	Far Hills Utility District Building	27	766	793	*50
51	Central Library	537	2,319	2,856	51
*56	The Woodlands Emergency Training Center	2	27	29	*56
*60	Montgomery County Juvenile Facility	150	2,011	2,161	*60
73	City of Conroe, Dean Towery Service Center	145	1,994	2,139	73
*75	Windsor Hills Homeowners' Association Club House	385	2,627	3,012	*75
77	April Sound Church	318	4,146	4,464	77
*85	Northridge Baptist Church		2	2	*85
*86	Living Branch Church	177	1,564	1,741	*86
*90	The Palm Community Building	1	5	6	*90
*96	Gerald D. Irons, Sr. Junior High School			0	*96
*98	KC Event Center	154	458	612	*98
*102	John V. Peet Junior High School	233	3,823	4,056	*102
*108	KC Event Center	68	294	362	*108
109	City of Conroe Westside Recreation Center	165	2,288	2,453	109
110	Bonnie Wilkinson Elementary School	179	2,872	3,051	110
*112	Lake Creek High School	5	221	226	*112
		5,582	52,893	58,475	34

* Jurisdiction Occupies only a part of the Precinct

**This list is subject to change:

CERTIFICATE OF ORDINANCE

I.

On the 8th day of February, 2024, the City Council of the City of Conroe, Texas, consisting of the following qualified members, to-wit: **Jody Czajkoski, Mayor; Curt Maddux, Mayor Pro Tem; Council Members Todd Yancey, Harry Hardman, Howard Wood, and Marsha Porter** did convene in public session in the Council Chambers of the City Hall at 300 West Davis in Conroe, Texas. The roll being first called, a quorum was established, all members being present. The Meeting was open to the public and public notice of the time, place and purpose of the Meeting was given, all as required by Chapter 551, Texas Government Code.

II.

WHEREUPON, AMONG OTHER BUSINESS transacted, the Council considered adoption of the following written Ordinance, to wit:

ORDINANCE NO. 2692-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CONROE, TEXAS, ORDERING A GENERAL ELECTION FOR MUNICIPAL OFFICERS TO BE CONDUCTED ON MAY 4, 2024; AND PROVIDING FOR OTHER RELATED MATTERS.

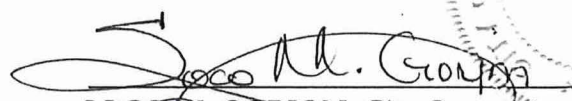
III.

Upon motion of Council Member Hardman, seconded by Mayor Pro Tem Maddux, all members present voted for adoption of the Ordinance, except the following: No one voted against and no one abstained. A majority of those Council Members present having voted for adoption, the presiding officer declared the Ordinance passed on first reading.

IV.

A true, full and correct copy of the Ordinance adopted at the meeting is attached to and follows this Certificate.

SIGNED AND SEALED this 8th day of February, 2024.


SOCO M. GORBON, City Secretary



Tab 8

City of Conroe list of general election candidates
undated



CITY OF CONROE CANDIDATES
GENERAL ELECTION
MAY 4, 2024

Mayor

Todd Yancey	281-723-9956	yancey10159@gmail.com
Duke W. Coon	936-520-0769	
Kristin Wilkinson-Guardino	936-494-2388	info@kristinguardino.com

Council Place 1

David Hairel	713-817-3317	
Susan Johnson	281-380-4753	susan@jproptiestx.com
Carl White	936-520-0106	camlightvideo@gmail.com
Thomas R. Bersch	832-517-1958	

Council Place 2

Shana Arthur	832-723-1906	shanaarthur@outlook.com
Betty Boren Avery	281-858-4206	bettyborenavery@outlook.com
Curt Maddux	936-203-0581	curtmadduxcampaign@gmail.com

Tab 9

Houston Chronicle and Montgomery County Courier
articles by Catherine Dominguez
March 8, 2024



SUBURBS // CONROE

Conroe city secretary will not invalidate 2 election applications that violated state law, letter states

By **Catherine Dominguez**, Staff writer
 March 8, 2024



The Conroe Tower is seen in 2023. Conroe mayoral hopeful Councilman Todd Yancey and Mayor Pro Tem incumbent Curt Maddux and might be ineligible to appear on the ballot after their applications were notarized and filed without the men appearing in person, a violation of state law. Jason Fochtman, Houston Chronicle / Staff photographer

Conroe mayoral hopeful Council Member Todd Yancey and Mayor Pro Tem incumbent Curt Maddux might be ineligible to appear on the ballot after their applications were notarized and filed without the men appearing in person, a violation of state law.

The Texas Secretary of State's Office confirmed Monday that, according to law, personal appearance is required for the notarization process.

In a letter sent to the Houston Chronicle and city council members late Friday, City Secretary Soco Gorjon said applications for city council can be accepted in "many different ways" and the procedure used for Maddux and Yancey has been in place by the city for many years.

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"I am not invalidating the applications based on this technicality," Gorjon said.

She said she was advised that it is not in the public interest to invalidate applications on this basis, because public offices should be decided by "fair and vigorous" elections, according to case law provided by Interim City Attorney Mike Garner

Gorjon stated she contacted the Texas Secretary of State's Office, and it was recommended that "the city of Conroe notarize documents with elected officials as specified by code rather than the city of Conroe's standard operating procedures that were in place."

According to the applications obtained by the Houston Chronicle, Maddux's and Yancey's applications were notarized at 8 a.m. Jan. 17 by Administrative Assistant Pamela Brown and signed by Gorjon as the city's filing officer.

MR.031

City Administrator Gary Scott said Gorjon instructed Brown to notarize the applications. Brown declined to comment.

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Gorjon confirmed that Maddux and Yancey were not present when the applications were notarized and filed. Maddux and Yancey did not respond to requests for comment.

MORE ELECTION NEWS: [Wheeler defeats Noack in Montgomery County Republican primary, Henderson headed for runoff](#)

Yancey is running for mayor against Kristin Wilkinson-Guardino and former Council Member Duke Coon. Maddux is seeking a second term for Place 2 and is facing Shana Arthur and Betty Coren Avery.

Filing for the May 4 election began Jan. 17 and ended Feb. 16.

"Both Todd and Curt left their signed applications on their desk and I was instructed to pick them up and receipt them at 8 am on January 17, 2024," Gorjon said in a March 1 email.

Scott said that while most city staff report to him, the city secretary reports to the City Council. Also, state law gives the city secretary full authority over acceptance or rejection of applications for public office as the municipality's election authority.

"Any discussion or corrective action would rest on the council," Scott said.

He said he will instruct Garner to notify all city staff with notary responsibilities to follow all statutory legal requirements. "I take it seriously and our staff should as well," he said.

Council Member Marsha Porter said she learned of the application issue late Thursday.

"I received an email from Mike Garner late last night officially confirming that we had election ballot issues," she said. "I swore an oath to uphold the law, as did all members of council. I will uphold the law. I hope that all my fellow City Council members feel the same the way."

Council Member Harry Hardman said that "it is a shame that my fellow councilmen have caused this issue, but the election process is a sacred part of our democracy, and it should be strictly followed and respected."

The council will meet Wednesday.

Scott said state law allows challenges to applications for a place on the ballot until the 50th day before the May 4 election, which is March 15.

March 8, 2024

By **Catherine Dominguez**

Catherine Dominguez is a Houston Chronicle reporter who covers Montgomery County, including the city of Conroe and Conroe ISD.

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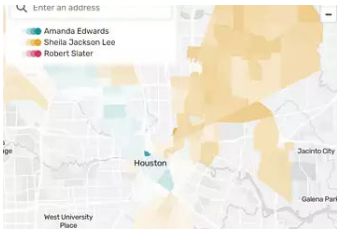
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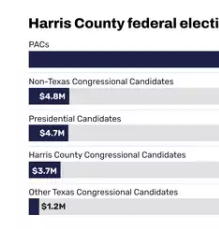
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2024 Harris County primary election results



ELECTION 2024

Texas primary 2024 election live results



ELECTION 2024

Who are Harris C residents donatir election?



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NEWS

Conroe city secretary will not invalidate 2 election applications that violated state law, letter states

By **Catherine Dominguez**, *Staff writer*

March 8, 2024





The Conroe Tower is seen in 2023. Conroe mayoral hopeful Councilman Todd Yancey and Mayor Pro Tem incumbent Curt Maddux might be ineligible to appear on the ballot after their applications were notarized and filed without the men appearing in person, a violation of state law.

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Filing for the May 4 election began Jan. 17 and ended Feb. 16. ×

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Scott said state law allows challenges to apply the 50th day before the May 4 election, which is March 8, 2024

By **Catherine Dominguez**

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Hannah LaCour on behalf of Derek Bauman
Bar No. 24044475
hannah.lacour@feldman.law
Envelope ID: 85474172
Filing Code Description: Original Proceeding Petition
Filing Description: Petition for Emergency Writ of Mandamus
Status as of 3/12/2024 3:31 PM CST

Associated Case Party: SocoM.Gorjon

Name	BarNumber	Email	TimestampSubmitted	Status
Soco M.Gorjon		citysecretary@cityofconroe.org	3/12/2024 3:18:33 PM	SENT

Associated Case Party: ShanaR.Arthur

Name	BarNumber	Email	TimestampSubmitted	Status
Hannah LaCour		hannah.lacour@feldman.law	3/12/2024 3:18:33 PM	SENT
Cris Feldman		cris.feldman@feldman.law	3/12/2024 3:18:33 PM	SENT
Kimberly Dang		kimberly.dang@feldman.law	3/12/2024 3:18:33 PM	SENT
Derek Bauman		derek.bauman@feldman.law	3/12/2024 3:18:33 PM	SENT

Associated Case Party: BettyAvery

Name	BarNumber	Email	TimestampSubmitted	Status
Betty Avery		bettyborenavery@outlook.com	3/12/2024 3:18:33 PM	SENT

Associated Case Party: CurtisL.Maddux

Name	BarNumber	Email	TimestampSubmitted	Status
Raj Aujla		raujla@maynardnexsen.com	3/12/2024 3:18:33 PM	SENT