

AFFIDAVIT PURSUANT TO TEXAS ELECTION CODE § 273.001

STATE OF TEXAS

COUNTY OF DENTON

BEFORE ME, Joy Preston, the undersigned Notary in and for the State of Texas, on this day personally appeared Jace Yarbrough, known to me, who being sworn to me upon his oath deposes and says:

I, the undersigned, being first duly sworn, do hereby state under oath and under penalty of perjury that the following facts are true:

1. My name is Jace Yarborough. I am over the age of 18, I am a resident of Denton County, Texas, and I am of sound mind. I have personal knowledge of each of the statements herein.
2. I am a registered voter in Denton County, Texas. I am currently living at 9285 Culp Branch Rd, Sanger, Texas 76266.
3. On February 22, 2024, the Texas Attorney General Ken Paxton issued a press release announcing that the State of Texas “has sued Denton Independent School District (“DISD”) for illegal electioneering by using taxpayer-funded resources to stump for specific candidates during an election.”¹
4. Attorney General Paxton’s Press release includes a link to a PDF copy of the Plaintiff’s Original Petition and Request for a Temporary Restraining Order

¹ Press Release, Office of the Attorney General, *Attorney General Ken Paxton Sues School District for Illegal Electioneering with Public Tax Money* (Feb. 22, 2024), <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-sues-school-district-illegal-electioneering-public-tax-money>.

and Temporary Injunction filed in *State of Texas v. Price et al.*, dated February 22, 2024 (the "Original Petition").²

5. The copy of the Original Petition posted on the Attorney General's website also includes two exhibits. Exhibit 1 is a copy of an e-mail sent by named Defendant Lindsay P. Lujan from an email address with the domain name "@dentonisd.org," and Exhibit 2 is a copy of an e-mail sent by named Defendant Jesus Lujan from an e-mail address with the domain name "@dentonisd.org."

6. I have reviewed the Attorney General's press release, Original Petition, and Exhibits to the Original Petition as described above, using the links provided in these footnotes.

7. Based on that review, I am alleging through this affidavit that the Defendants named in the Original Petition have engaged in criminal conduct in connection with the upcoming elections for the Texas State Senate and Texas House of Representatives.

8. Specifically, it is my understanding that the Defendants' actions constitute violations of Texas Election Code Sections 255.003(a) and 255.0031(a), which prohibit officers or employees of political subdivisions from knowingly spending public funds for political advertising, and from knowingly using or authorizing the use of internal mail systems for the distribution of political advertising.

9. It is also my understanding that these offenses are classified as Class A misdemeanors under Texas law. Tex. Elec. Code § 255.003(c) and § 255.0031(c). *See also* Tex. Pen. Code §§ 12.03(a)(1) and 12.21.

10. I have read this Sworn Affidavit in its entirety and state under oath that the facts disclosed herein are within my personal knowledge and that they are true and correct.

A handwritten signature in black ink, appearing to be "J. Lujan", written over a horizontal line.

² Plaintiff's Original Petition and Request for a Temporary Restraining Order and Temporary Injunction is available at <https://www.texasattorneygeneral.gov/sites/default/files/images/press/Denton%20ISD%20Election%20Restraining%20Order.pdf>.

EXECUTED, SUBSCRIBED AND SWORN TO, this 26th day of
February 2024 in Denton County, Texas:

Joy Alice Preston

Notary Public in and for the State
of Texas Commission Expires: 2/1/2027

