

NO. \_\_\_\_\_

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**In the Court of Appeals for the  
Third Judicial District of Texas  
Austin, Texas**

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**IN RE: LINDA ANTHONY**

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**Original Proceeding for Writ of Mandamus**

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**EMERGENCY PETITION FOR WRIT OF MANDAMUS**

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**RAY & WOOD**

**Doug W. Ray  
State Bar No. 16599200**

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**ATTORNEY FOR RELATOR  
LINDA ANTHONY**

## INTRODUCTION

Relator, Linda Anthony, has been denied the opportunity to run for public office for failing to include an occupation on her ballot application when she has no occupation. Because this violates the Election Code and prevents the voters of West Lake Hills from exercising their right to choose their own mayor, Anthony requests this Court to order her name to be placed on the ballot.

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## IDENTITY OF PARTIES AND COUNSEL

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Linda Anthony

### RELATOR'S COUNSEL

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### REAL PARTY IN INTEREST

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### PRO SE

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## STATEMENT OF THE CASE

Relator, Linda Anthony, filed an application to be placed on the May 7, 2022 ballot for the office of Mayor of the City of West Lake Hills. Real party in Interest, Jeffrey Taylor, also filed an application for this same office and challenged Anthony's ballot application. Respondent, City Secretary Stephanie Mills, rejected Anthony's ballot application and refused Anthony's request to reverse that decision and place her name on the ballot. Anthony now files this emergency petition for writ of mandamus seeking an order requiring Mills to place Anthony's name on the May 7, 2022 ballot for the office of Mayor of the City of West Lake Hills.

## REQUEST FOR EMERGENCY RELIEF

Anthony requests emergency consideration of her mandamus petition due to the short deadlines for having her name placed on the ballot. Pursuant to Texas Election Code § 86.004(b) mail ballots may start being sent to voters requesting them 45 days before the election, which is March 23, 2022. The election authority will need some lead time before this date to print the ballots, which would could take up to about a week, or approximately March 14-16, 2022. Accordingly, Anthony requests emergency consideration of her mandamus petition so that there is time to place her name on the ballot in the event she prevails in this proceeding. Without such emergency consideration this proceeding will become moot and this Court will lose its jurisdiction without an opportunity for Anthony to obtain a ruling on the merits.

## STATEMENT OF JURISDICTION

This Court has jurisdiction of this petition under Article V, § 6 of the Texas Constitution and Texas Election Code § 273.061(a).

## ISSUES PRESENTED

**ISSUE ONE:** Respondent Mills has a duty under the Election Code to certify Anthony's name for the May 7, 2022 ballot, because Anthony submitted an application that complied with the Election Code.

## STATEMENT OF FACTS

On January 20, 2022 Anthony timely filed with Mills her application for a place on the May 7, 2022 ballot for the office of Mayor of the City of West Lake Hills. (App. tab 1, 6). The official ballot application form submitted by Anthony contained a space to state her occupation, which space Anthony left blank. (App. tab 1). On February 24, 2022, after the deadline for write-in candidates to file for a place on the ballot, Anthony received notice from Mills that an opposing candidate, Jeffrey Taylor, had challenged her ballot application for failing to fill in the box asking for the candidate's occupation. The notice indicated that Anthony had to file a response by February 28, 2022. (App. tab 2, 6). Anthony timely responded to the challenge (App. tab 6). On March 2, 2022 Anthony received notice from Mills that she had rejected Anthony's ballot application for "[f]ailure to include the candidate's occupation." (App. tab 3, 6). The next day Anthony requested Mills to rescind the rejection of her application and put her name on the ballot. On March 4, 2022, Mills rejected that request. (App tab 4).

Prior to 2000 journalism was Anthony's principal business and her means of earning a living. In 2000 she retired from journalism and has not engaged in any business or employment for earning a living since that time.

(App. tab 5, 6). Anthony has been the Mayor of the City of West Lake Hills for over six years, which is an unpaid position of public service. (App. tab 6).

## ARGUMENT

### I. MANDAMUS STANDARD

A “court of appeals may issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election.” TEX. ELEC. CODE § 273.061(a).

### II. MILLS HAS A DUTY TO CERTIFY ANTHONY’S NAME FOR INCLUSION ON THE BALLOT

#### A. Duty of City Secretary to Certify Candidates

When candidates have “timely submitted their applications” in compliance with the Election Code, the “[City Secretary is] required to accept them and place [their] names on the ballot.” *In re Sanchez*, 81 S.W.3d 794, 795 (Tex. 2002) (orig. proceeding). In this case, Mills has failed to perform the required ministerial duty of accepting Anthony’s ballot application and submitting her name for inclusion on the ballot.

#### B. Anthony’s Failure to Provide an Occupation on her Ballot Application Did Not Permit Mills to Reject Her Application

##### 1. Construction of Election Code

“A candidate’s ‘access to the ballot lies at the very heart of a constitutional republic.’” *In re Green Party of Tex.*, 630 S.W.3d 36, 37 (Tex. 2020) (orig. proceeding) (quoting *In re Francis*, 186 S.W.3d 534, 542 (Tex. 2006)

(orig. proceeding)). As such, in “election cases [courts] are constrained in [their] interpretation by the principle that any statutory provision that restricts the right to hold office must be strictly construed against ineligibility.” *Id.* at 39 (quoting *State v. Hodges*, 92 S.W.3d 489, 494–95 (Tex. 2002)). “Therefore, if [the Election Code] is susceptible of more than one reasonable interpretation, [courts] must apply the least exclusionary interpretation.” *Hodges*, 92 S.W.3d at 495. Additionally, in construing the Election Code “the Legislature is presumed to have intended a ‘just and reasonable result’” in light of the “the ‘object sought to be attained’” by the Code. *In re Bell*, 91 S.W.3d 784, 785 (Tex. 2002) (orig. proceeding) (citation omitted).

**2. *The Election Code Did Not Require Anthony to Provide an Occupation on Her Application***

The Election Code provides that all candidates for municipal offices must file a written application with the appropriate filing authority in order to secure a place on the ballot. TEX. ELEC. CODE §§ 143.004(a); 141.031(a)(1), (3). In this case, Anthony timely filed her written application with Mills. The candidate’s application should include, among other things, “the candidate’s occupation.” *Id.* § 141.031(a)(4)(B).

The Election Code does not define the word “occupation.” When a statute does not define a term, courts “must apply [its] common, ordinary meaning unless a contrary meaning is apparent from the statute’s language.” *Tex. State Bd. of Examiners of Marriage & Family Therapists v. Tex. Med. Ass’n*, 511 S.W.3d 28, 34 (Tex. 2017). “To determine a statutory term’s common, ordinary meaning, we typically look first to their dictionary definitions and then consider the term’s usage in other statutes, court decisions, and similar authorities.” *Id.* at 35.

The dictionary definition of “[o]ccupation is the principal business of one’s life—a means of earning a living.” *United Services Auto. Ass’n v. Pennington*, 810 S.W.2d 777, 779–80 (Tex. App.—San Antonio 1991, writ denied) (quoting WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY 1560 (1981)); accord *Hallman v. Allstate Ins. Co.*, 114 S.W.3d 656, 662 (Tex. App.—Dallas 2003) (same), *rev’d on other grounds*, 159 S.W.3d 640 (Tex. 2005). As Anthony is retired, she does not have an occupation. Indeed, to “retire” means “to give up one’s business or occupation . . . to enjoy more leisure or freedom.” Op. Tex. Att’y Gen. No. JC-0442 (2001) (quoting XIII OXFORD ENGLISH DICTIONARY 782 sense 2 (2d ed. 1989)). Anthony has no business or employment by which she is earning her living and therefore has no

occupation. Anthony has been the Mayor of the City of West Lake Hills for the past six years. But this is an unpaid position and therefore not an occupation, but simply an opportunity for public service.

The Election Code asks candidates to state their occupation. It is silent on requiring candidates to provide any other information if they have no occupation. Construing the Election Code in the least exclusionary manner available, as is required, a candidate only has an occupation if they have a business or employment by which they are earning their living and there is no requirement to provide any information other than an occupation.<sup>1</sup> In the present case Anthony has no occupation and therefore she did not violate the Election Code when she left the occupation space blank on her ballot application.

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<sup>1</sup> On its official form, the Secretary of State does state that candidates are not to leave the occupation space blank. However, the form does not indicate what a candidate without an occupation is supposed to put in the blank and the statute does not require a candidate to provide anything other than an occupation. The Secretary of State is not permitted to require candidates to go beyond what is required by the Election Code in order to qualify for the ballot. *See, e.g., Hughs v. Dikeman*, 631 S.W.3d 362, 381 (Tex. App. – Houston [14th Dist.] 2020, no pet.) (holding that where Election Code was silent on when minor party candidates were required to pay filing fee, Secretary of State had no authority to issue advisory requiring minor party candidates to pay filing fee before the party convention when the Election Code stated that the fee was to be paid by candidates who had been nominated at the convention).

This construction of the Election Code is supported by the recent case of *In re Garcia*, No. 04-22-00016-CV, 2022 WL 130287 (Tex. App.—San Antonio Jan. 14, 2022, orig. proceeding). In *Garcia* the court considered whether a candidate for Justice of the Peace, Precinct 4, Place 1 was entitled to be on the ballot when she had omitted the Place 1 designation from her ballot application. *Id.* The Election Code requires candidates to include on their application “the office sought, including any place number or other distinguishing number.” TEX. ELEC. CODE § 141.031(a)(4)(C). Although the county had previously abolished the only other place in Precinct 4, the trial court found that Place 1 was still part of the office’s name and the candidate’s failure to include it on her application violated the Election Code. *Garcia*, 2022 WL 130287 at \*1-\*2.

The court of appeals disagreed. Noting that it was “required to strictly construe the Election Code *against* a candidate’s ineligibility to appear on the ballot,” the court held that because “Place 1 is the only position that exists in . . . Precinct 4, . . . interpreting the Election Code to require a place designation on [the] application . . . under these circumstances would require us to construe the Election Code *in favor of* . . . ineligibility to appear on the ballot. Binding Texas Supreme Court precedent simply does

not allow us to do so.” *Id.* at \*3. The same holds true for the present case. Construing the Election Code to require rejection of Anthony’s application for leaving the occupation space blank on her application when she has no occupation would be construing the Code in favor of ineligibility to appear on the ballot.

The *Garcia* opinion also stated that “the legislature’s stated intention for the Election Code as a whole is, inter alia, ‘to reduce the likelihood of fraud in the conduct of elections’ and to ‘promote voter access.’” *Id.* at \*4 (citation omitted). In construing the Election Code with respect to this purpose in mind, the court held that as it was “undisputed that only one . . . office exists,” the “rejection of [the] application based on the omission of the Place 1 designation does nothing to prevent ‘fraud in the conduct of elections.’” *Id.* (citation omitted). Similarly, rejecting Anthony’s application for leaving the occupation space blank when she has no occupation does nothing to prevent fraud in the conduct of this election. Indeed, leaving the occupation space blank accurately informs voters that Anthony has no occupation.

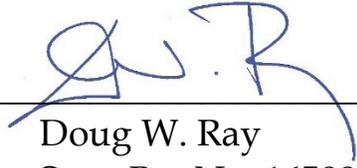
Based on the foregoing, Mills has a statutory duty to accept Anthony’s application and place her name on the ballot.

## PRAYER

Based upon the foregoing, Linda Anthony, Relator, respectfully requests this Court to order Respondent, Stephanie Mills, to accept her ballot application and include her name on the May 7, 2022 ballot for the office of Mayor of the City of West Lake Hills.

Respectfully submitted,

RAY & WOOD

By: 

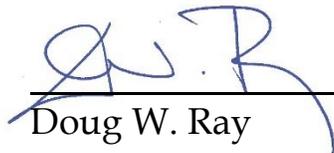
Doug W. Ray  
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**ATTORNEY FOR RELATOR  
LINDA ANTHONY**

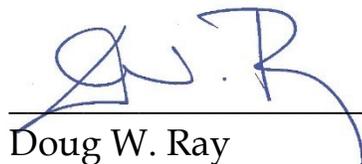
**APPELLATE RULE 9.4(i)(3) CERTIFICATE OF COMPLIANCE**

Counsel hereby certifies that this document was computer generated using 14-point Book Antiqua typeface and that this document, excluding those portions enumerated in Appellate Rule 9.4(i)(1), contains 2,553 words, based upon the word count of the computer program used to generate the brief.

  
\_\_\_\_\_  
Doug W. Ray

**APPELLATE RULE 52.3(j) CERTIFICATION**

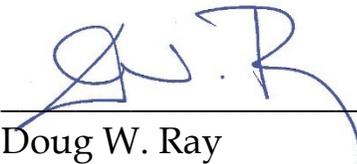
I certify that I reviewed the Emergency Petition for Writ of Mandamus that I filed on behalf of Linda Anthony on this day and I concluded that every factual statement in the petition is supported by competent evidence included in the appendix or record.

  
\_\_\_\_\_  
Doug W. Ray

**CERTIFICATE OF SERVICE**

I hereby certify that on March 7, 2022 a true and correct copy of the above and foregoing was served through the electronic filing manager or by email to the following:

Alan J. Bojorquez	Jeffrey Taylor
Alan@TexasMunicipalLawyers.com	603 West 9th Street
Cristian Rosas-Grillet	Austin, Texas 78701
Cristian@texasmunicipallawyers.com	jeff@jefftaylorlaw.com
BOJORQUEZ LAW FIRM, PC	<b>REAL PARTY IN INTEREST</b>
11675 Jollyville Road, Suite 300	
Austin, Texas 78759	
<b>COUNSEL FOR RESPONDENT</b>	

  
\_\_\_\_\_  
Doug W. Ray

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**In the Court of Appeals for the  
Third Judicial District of Texas  
Austin, Texas**

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IN RE: LINDA ANTHONY

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**APPENDIX TO RELATOR'S EMERGENCY  
PETITION FOR WRIT OF MANDAMUS**

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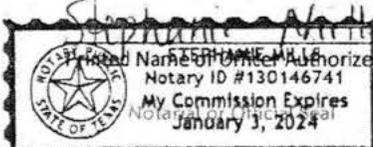
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3	Notice of Rejection of Ballot Application from Stephanie Mills
4	Denial of Request to Rescind Rejection of Ballot Application
5	Linda Anthony's Social Security Statement
6	Affidavit of Linda Anthony

**TAB 1**

## 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 OPTIONAL<sup>1</sup> Failure to provide required information may result in rejection of application.

<b>APPLICATION FOR A PLACE ON THE <u>West Lake Hills</u> GENERAL ELECTION BALLOT</b>					
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>Mayor</u>				INDICATE TERM <input checked="" type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last) <u>Linda C. Anthony</u>			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* <u>Linda Anthony</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>1500 Old Wagon Rd</u>			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY <u>West Lake Hills</u>	STATE <u>TX</u>	ZIP <u>78746</u>	CITY <u>West Lake Hills</u>	STATE <u>TX</u>	ZIP <u>78746</u>
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)		DATE OF BIRTH <u>1953</u>	VOTER REGISTRATION VUID NUMBER <sup>2</sup> (Optional)
TELEPHONE CONTACT INFORMATION (Optional)					
Home:		Office: <u>512 327 3628</u>		Cell:	
FELONY CONVICTION STATUS (You MUST check one)			LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN		
<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. <sup>3</sup>			IN THE STATE OF TEXAS <u>4 1/2</u> year(s) ____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED <u>33</u> 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) <u>Linda Anthony</u> , who being by me here and now duly sworn, upon oath says: I, (name of candidate) <u>Linda Anthony</u> , of <u>Travis</u> County, Texas, being a candidate for the office of <u>Mayor</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 <u>Linda Anthony</u> SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the <u>20</u> day of <u>January</u> , <u>2022</u> , by <u>Linda Anthony</u> (day) (month) (year) (name of candidate)					
<u>Stephanie Akel</u> Signature of Officer Authorized to Administer Oath <u>City Secretary</u> 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 \$ <u>0</u> filing fee or a nominating petition of <u>0</u> pages received. <input checked="" type="checkbox"/> Voter Registration Status Verified					
<u>1, 20, 2022</u>		<u>2, 8, 2022</u>		(See Section 1.007)	
Date Received		Date Accepted		<u>Stephanie Akel</u> Signature of Filing Officer or Designee	

**TAB 2**



# City of West Lake Hills

911 Westlake Drive  
West Lake Hills, TX 78746  
(512) 327-3628 [www.westlakehills.org](http://www.westlakehills.org)

February 24, 2022

VIA Certified Mail 7015 1730 0001 7349 9870  
VIA Email: [mayor@westlakehills.gov](mailto:mayor@westlakehills.gov)  
Linda Anthony  
1500 Old Wagon Road  
West Lake Hills, Texas 78746

Re: Notice of Challenge of Application – City of West Lake Hills, Mayor

Dear Ms. Anthony:

On February 22, 2022, the City received a challenge related to your application for a place on the ballot for the May 7, 2022 General Election, for the office of Mayor.

The challenge provides, in part:

“Ms. Anthony’s application, submitted on January 20, 2022 and accepted on February 8, 2022, does not strictly comply with the ballot application requirements set forth in section 141.031 of the Texas Election Code. Specifically, Ms. Anthony did not fill in the "OCCUPATION" section, which is a statutorily required field in a ballot application. *See* Tex. Elec. Code § 143.031(a)(4)(B). As you likely know, an individual seeking a place on a ballot must strictly comply with the Texas Election Code’s requirements for completing the ballot application, and if required information is lacking, the application “shall” be rejected. *See* Tex. Elec. Code § 141.032(e).

As an opposing candidate for mayor, I bring this challenge pursuant to section 141.034 of the Texas Election Code.”

A copy of the challenge is attached as **Exhibit A**. Section 141.034(c) of the Texas Election Code provides, a challenge must state with specificity how the application does not comply with the applicable requirements as to form, content, and procedure. The review under this provision is limited to the specific items challenged and any response filed with the authority by the challenged candidate.

Accordingly, I am requesting you provide a response to the specific items challenged as soon as practicable, but not later than 5:00 pm Monday, February 28, 2022.

If you have any questions, please contact me at [citysec@westlakehills.gov](mailto:citysec@westlakehills.gov). If you have any questions relating to the election, you can contact the Texas Secretary of State Elections Division

at [Elections@sos.texas.gov](mailto:Elections@sos.texas.gov) or 1-800-252-8683, or you can visit their website at [sos.state.tx.us/elections/index.shtml](http://sos.state.tx.us/elections/index.shtml)

Sincerely,

Stephanie Mills  
City Secretary

Cc: Jeffrey Taylor  
603 West 9th Street  
Austin, Texas 78701  
[jeff@jefftaylorlaw.com](mailto:jeff@jefftaylorlaw.com)

## Exhibit A

**From:** [Jeff Taylor](#)  
**To:** [Stephanie Mills](#)  
**Cc:** [Cristian Rosas-Grillet](#)  
**Subject:** Challenge to Linda Anthony's application for place on ballot  
**Date:** Tuesday, February 22, 2022 7:28:12 PM

---

Ms. Mills:

I'm writing to challenge Ms. Linda Anthony's application for a place on the May 7, 2022 General Election ballot for the position of mayor of the City of West Lake Hills. Ms. Anthony's application, submitted on January 20, 2022 and accepted on February 8, 2022, does not strictly comply with the ballot application requirements set forth in section 141.031 of the Texas Election Code. Specifically, Ms. Anthony did not fill in the "OCCUPATION" section, which is a statutorily required field in a ballot application. See Tex. Elec. Code § 143.031(a)(4)(B). As you likely know, an individual seeking a place on a ballot must strictly comply with the Texas Election Code's requirements for completing the ballot application, and if required information is lacking, the application "shall" be rejected. See Tex. Elec. Code § 141.032(e).

As an opposing candidate for mayor, I bring this challenge pursuant to section 141.034 of the Texas Election Code. After you re-review Ms. Anthony's application, please confirm in writing to me that you will not place Ms. Anthony on the May 7, 2022 General Election ballot as a candidate for mayor of the City of Westlake Hills as a result of Ms. Anthony's incomplete ballot application. As you are aware, it is the City Secretary's responsibility to prepare the official ballot for city elections, and the City Secretary may only place on the official ballot the names of each candidate who has filed a complete ballot application that complies with the Election Code's requirements as to form, content, and procedure. See Tex. Elec. Code §§ 52.002, 52.003. Given the approaching deadlines imposed by the Texas Election Code and the upcoming plans for the ballot-place drawing on Thursday, I respectfully ask that you confirm to me in writing by 9:00 a.m. on Thursday, February 24, 2022, that Ms. Anthony will not appear on the May 7, 2022 ballot. If I do not hear from you by that time, I will understand that you are refusing to comply with your statutory duties and intend to place Ms. Anthony on the ballot as a candidate for mayor of the City of Westlake Hills. I hope that will not be the case but, in that unfortunate event, I will reserve the right to pursue all available legal remedies.

I appreciate your prompt attention to this matter, and I look forward to being a part of this upcoming election.

Sincerely,  
Jeff Taylor

**Jeff Taylor**

Attorney

[jeff@jefftaylorlaw.com](mailto:jeff@jefftaylorlaw.com)

603 West 9th Street

Austin, Texas 78701

512-643-1558



**TAB 3**



# City of West Lake Hills

911 Westlake Drive  
West Lake Hills, TX 78746  
(512) 327-3628 [www.westlakehills.org](http://www.westlakehills.org)

March 2, 2022

VIA Certified Mail: 7015 1730 0001 7349 9009

VIA Email: [tallawong22@gmail.com](mailto:tallawong22@gmail.com)

Linda Anthony

1500 Old Wagon Road

West Lake Hills, Texas 78746

Re: Challenge of Application – City of West Lake Hills, Mayor

Dear Ms. Anthony:

On February 22, 2022, the City received a challenge related to your application for a place on the ballot for the May 7, 2022 General Election, for the office of Mayor. The challenge was regarding the omission of the “Occupation” field on the Application for a Place on the Ballot. On February 28, 2022, you filed a written response to this challenge.

In accordance with Section 141.034(c) of the Texas Election Code, I have reviewed the specific item challenged and your correspondence. I have also consulted with the City Attorney’s Office and the Elections Division of the Texas Secretary of State and have been advised of the law. Upon concluding my review, I must reject your application for a place on the ballot as of today, March 2, 2022, for the following reason(s):

Failure to include the candidate’s occupation. *See* Texas Election Code § 141.031(a)(4)(B).

If you have any questions relating to the election, you can contact the Texas Secretary of State Elections Division at [Elections@sos.texas.gov](mailto:Elections@sos.texas.gov) or 1-800-252-8683, or you can visit their website at [sos.state.tx.us/elections/index.shtml](http://sos.state.tx.us/elections/index.shtml)

Sincerely,

*Stephanie Mills*

Stephanie Mills  
City Secretary

Cc: Jeffrey Taylor  
603 West 9th Street  
Austin, Texas 78701  
[jeff@jefftaylorlaw.com](mailto:jeff@jefftaylorlaw.com)

# **TAB 4**

**From:** Stephanie Mills <SMills@westlakehills.gov>  
**Date:** March 4, 2022 at 11:18:08 AM CST  
**To:** linda anthony <tallawong22@gmail.com>  
**Cc:** Cristian Rosas-Grillet <Cristian@texasmunicipallawyers.com>  
**Subject:** FW: Challenge Determination – City of West Lake Hills, Mayor

Good morning,

In accordance with Sections 141.032 and 141.034(c) of the Texas Election Code, I have reviewed the specific item challenged, your correspondence, and your reconsideration request. Based on this review, I cannot rescind my rejection of your application for a place on the ballot.

Sincerely,

Stephanie Mills, CMC, TRMC  
City Secretary/Human Resources Director  
West Lake Hills  
(512) 610-6821

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**From:** linda anthony <tallawong22@gmail.com>  
**Sent:** Friday, March 4, 2022 10:37 AM  
**To:** Stephanie Mills <SMills@westlakehills.gov>  
**Subject:** Fwd: Challenge Determination – City of West Lake Hills, Mayor

Hi Stephanie,  
Pls respond to this email. Thanks, linda

Sent from my iPad

Begin forwarded message:

**From:** linda anthony <[tallawong22@gmail.com](mailto:tallawong22@gmail.com)>  
**Date:** March 3, 2022 at 5:27:03 PM CST  
**To:** Stephanie Mills <[SMills@westlakehills.gov](mailto:SMills@westlakehills.gov)>  
**Subject:** Re: Challenge Determination – City of West Lake Hills, Mayor

March 3, 2022

Dear Ms. Mills,

Please reconsider my response to the challenge of my application to be on the May 7 ballot for the Office of Mayor, and rescind your decision to reject it.

Respectfully submitted, Linda Anthony

**TAB 5**



# Your Social Security Statement

LINDA C. ANTHONY

March 5, 2022

### Retirement Benefits

You have earned enough credits to qualify for retirement benefits. To qualify for benefits, you earn “credits” through your work - up to four each year.

Your full retirement age is **66**, based on your date of birth: September 26, 1953. As shown in the chart, you can start your benefits at any time between your current age and 70. **For each month you wait to start your benefits, your monthly benefit will be higher—for the rest of your life.**

These personalized estimates are based on your earnings to date and assume you continue to earn \$0 per year until you start your benefits. To learn more about retirement benefits, visit [ssa.gov/benefits/retirement/learn.html](https://ssa.gov/benefits/retirement/learn.html).

### Personalized Monthly Retirement Benefit Estimates (Depending on the Age You Start)



### Disability Benefits

Your age qualifies you to receive full retirement benefits instead of disability benefits.

### Medicare

You already are receiving Medicare benefits. We used your past and current earnings to provide benefit estimates shown on this page.

### Survivors Benefits

You have earned enough credits for your eligible family members to receive survivors benefits. If you die this year, members of your family who may qualify for monthly benefits include:

- Minor child: **\$1,012**
  - Spouse, if caring for a disabled child or child younger than age 16: **\$1,012**
  - Spouse, if benefits start at full retirement age: **\$1,349**
  - Total family benefits cannot be more than: **\$2,194**
- Your spouse or minor child may be eligible for an additional one-time death benefit of \$255.

### Earnings Record

Review your earnings history below to ensure it is accurate. This is important because we base your future benefits on our record of your earnings. There's a limit to the amount of earnings you pay Social Security taxes on each year. Earnings above the limit do not appear on your earnings record. We have combined your earlier years of earnings, but you can view them online with [my Social Security](#). **If you find an error**, view your full earnings record online and call **1-800-772-1213**.

Work Year	Earnings Taxed for Social Security	Earnings Taxed for Medicare (began 1966)
1966-1980	\$53,303	\$53,303
1981-1990	\$256,951	\$256,951
1991-2000	\$9,756	\$9,756
2001-2005	\$0	\$0
2006	\$0	\$0
2007	\$0	\$0
2008	\$0	\$0
2009	\$0	\$0
2010	\$0	\$0
2011	\$0	\$0
2012	\$0	\$0
2013	\$0	\$0
2014	\$0	\$0
2015	\$0	\$0
2016	\$0	\$0
2017	\$0	\$0
2018	\$0	\$0
2019	\$0	\$0
2020	\$0	\$0
2021	Not yet recorded	Not yet recorded

### Taxes Paid

Total estimated Social Security and Medicare taxes paid over your working career based on your Earnings Record:

#### Social Security taxes

You paid: \$18,581

Employer(s): \$17,289

#### Medicare taxes

You paid: \$4,386

Employer(s): \$4,070

### Earnings Not Covered by Social Security

**You may also have earnings from work not covered by Social Security.** This work might have been for federal, state, or local government or in a foreign country.

If you participate in a retirement plan or receive a pension based on work for which you did not pay Social Security tax, it could lower your benefits. To find out more, visit [ssa.gov/gpo-wep](#).

### Important Things to Know about Your Social Security Benefits

- Social Security benefits are not intended to be your only source of retirement income. You may need other savings, investments, pensions, or retirement accounts to make sure you have enough money when you retire.
- You need at least 10 years of work (40 credits) to qualify for retirement benefits. The amount of your benefit is based on your highest 35 years of earnings. If you have fewer than 35 years of earnings, years without work count as 0 and may reduce your benefit amount.
- We use cost of living adjustments so your benefits will keep up with inflation.
- The age you claim benefits will affect the benefit amount for your surviving spouse.
- If you get retirement or disability benefits, your spouse and children also may qualify for benefits.
- If you are divorced and were married for 10 years, you may be able to claim benefits on your ex-spouse's record. If your divorced spouse receives benefits on your record, that does not affect your or your current spouse's benefit amounts.
- When you apply for either retirement or spousal benefits, you may be required to apply for both benefits.
- For more information about benefits for you and your family, visit [ssa.gov/benefits/retirement/planner/applying7.html](#).
- When you are ready to apply, visit us at [ssa.gov/benefits/retirement/apply.html](#).
- The *Statement* is updated annually. It is available upon request, either online or by mail.

**TAB 6**



Secretary to rescind the rejection of my application and put my name on the ballot. On March 4, 2022 the City Secretary rejected my request. A true and copy of this rejection is attached at Tab 4 of this Emergency Petition for Writ of Mandamus.

6. Prior to 2000, journalism was my principal business and means of earning a living. After receiving an inheritance, I retired from my position as city editor of the Austin American-Statesman in 1989 but continued to work as an occasional freelance writer until 2000. Since then I have not engaged in any business or employment for earning a living. A true and correct copy of my Social Security statement showing I have received no earnings since 2000 is attached at Tab 5 of this Emergency Petition for Writ of Mandamus.
7. I have been the Mayor of the City of West Lake Hills for over six years. This is an unpaid position of public service."

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Linda Anthony, Affiant

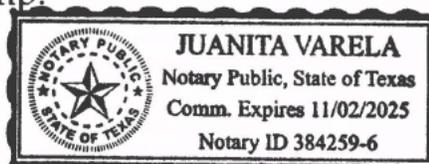
SWORN TO AND SUBSCRIBED before me this 6<sup>TH</sup> day of March, 2022.

  
\_\_\_\_\_  
Notary Public, State of Texas

Notary's Printed Name:

JUANITA VARELA

Stamp:



### 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.

Doug Ray  
Bar No. 16599200  
dray@raywoodlaw.com  
Envelope ID: 62338194  
Status as of 3/7/2022 8:39 AM CST

Associated Case Party: Stephanie Mills

Name	BarNumber	Email	TimestampSubmitted	Status
Alan Jacob Bojorquez	796224	info@texasmunicipallawyers.com	3/7/2022 7:49:32 AM	SENT
Cristian Rosas-Grillet	24088328	cristian@texasmunicipallawyers.com	3/7/2022 7:49:32 AM	SENT

Associated Case Party: Jeffrey Taylor

Name	BarNumber	Email	TimestampSubmitted	Status
Jeffrey Scott Taylor	24042011	jeff@jefftaylorlaw.com	3/7/2022 7:49:32 AM	SENT