

NO. 03-22-00110-CV

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

IN RE: LINDA ANTHONY

Original Proceeding for Writ of Mandamus

**RELATOR'S REPLY TO REAL PARTY IN INTEREST'S
RESPONSE TO MOTION FOR TEMPORARY RELIEF**

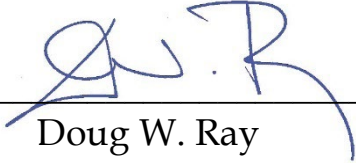
Contrary to Real Party in Interest Jeffrey Taylor's contention, Relator Linda Anthony's motion for temporary relief does not request the ultimate relief sought by her mandamus petition. The temporary relief requested by Anthony does not put her name on the May 7, 2022 ballot and is the same type of temporary relief that has been granted in prior ballot access cases. *See, e.g., In re Bell*, 91 S.W.3d 784, 785 (Tex. 2002) (orig. proceeding) ("We ordered respondents to allow Bell to participate in the drawing for ballot position in the primary election, pending our decision on whether Bell's

name should be placed on the ballot.”); *Davis v. Taylor*, 930 S.W.2d 581, 582 (Tex. 1996) (orig. proceeding) (noting that in “response to Davis’s request for temporary relief, we issued an order on September 20th directing the Secretary of State to notify election officials within the tenth district not to print or mail ballots pending this Court’s” determination of whether he was entitled to be on the ballot).

If ballots were printed and mailed without Anthony’s name on them prior to this Court’s decision, it would moot her claim to have her name placed on the ballot. *In re Crenshaw*, No. 05-17-00330-CV, 2017 WL 1292013, at *1 (Tex. App. – Dallas Apr. 7, 2017, orig. proceeding) (mem. op.) (holding that candidate’s mandamus petition to compel city secretary to place his name on the ballot was moot once ballots had been printed and mailed to voters). Anthony’s claim to have her name placed on the ballot would similarly become moot if the City of Westlake were to declare Taylor elected Mayor as an unopposed candidate under section 2.053 of the Election Code. Accordingly, Anthony is entitled to the temporary relief sought in this proceeding to protect this Court’s jurisdiction to resolve her claim.

Respectfully submitted,

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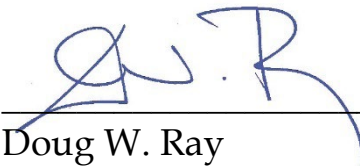
**ATTORNEY FOR RELATOR
LINDA ANTHONY**

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:

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