

Atty. Gen.

JUL 28 2023

CLERK OF THE COURT

THE SENATE OF THE STATE OF TEXAS
COURT OF IMPEACHMENT

IN THE MATTER OF
WARREN KENNETH PAXTON, JR.

REPLY TO HOUSE MANAGERS' RESPONSES TO MOTIONS

The House Managers have filed “notices” responding to each motion that the Attorney General has filed. While the House Managers indicate in each notice that they intend to file a more fulsome response later, the Senate Rules do not authorize them to file two responses by labeling one a “notice.” These notices should therefore be treated as what they are: responses to the Attorney General’s motions. Briefing on the pending motions should therefore be deemed complete, and they are ripe for decision by the Presiding Officer.

No Texas court expects—or would permit—a party to file a “notice” that the party intends to file an additional, later response to a motion. The House Managers’ counsel should be well aware of this fact, and they refused to engage in negotiations to jointly request a more typical briefing schedule. Moreover, the Senate Rules provide for filing responses to motions on *or before* the time frame set forth in Rule 15. The House Managers’ “notices” cite legal authority and assert their legal positions and arguments. The Court should not tolerate the House’s thinly veiled attempt to utilize “notices” to either (1) file two responses and get two bites at the apple or (2) circumvent this Court’s gag order by filing a “notice” to make a public comment on the motions.

The Attorney General respectfully requests that the Court treat the “notices” as responses and reject any later filed responses to these pending motions. Alternatively, the Attorney General requests that the Court deduct the length of these “notices” from the House Managers’ page limits on subsequent responses and require the House Managers to abide by the Senate Rules.

Respectfully submitted.

/s/ Christopher D. Hilton

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CERTIFICATE OF SERVICE

This Motion was served via email to the Court through the Lieutenant Governor and the Secretary of the Senate and to the House Board of Managers through their counsel, Rusty Hardin and Dick DeGuerin, on July 28, 2023.

/s/ Christopher D. Hilton
Christopher D. Hilton