

CONFIRMED FILE DATE: 1/7/2010

FILED

Loren Jackson
District Clerk

JAN 07 2010

NO. 2010-01196

Time: _____
Harris County, Texas

4:39P

CHRIS DANIEL
Plaintiff,

v.

JARED WOODFILL, IN HIS
CAPICITY AS CHAIRMAN OF THE
HARRIS COUNTY REPUBLICAN
PARTY

Defendants.

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IN THE DISTRICT COURT

104

JUDICIAL DISTRICT

Deputy

3p

OF HARRIS COUNTY, TEXAS

TEMPORARY RESTRAINING ORDER

On January _____, 2010, the Application for a Temporary Restraining Order of CHRIS DANIEL, Plaintiff herein, was heard before this Court. Plaintiff, CHRIS DANIEL, appeared in person and through Plaintiff's attorney of record.

Defendant JARED WOODFILL, IN HIS CAPICITY AS CHAIRMAN OF THE HARRIS COUNTY PUBLICAN PARTY herein, personally appeared with Defendant's attorney.

All issues of fact were tried to the Court. The Court considered the applicable laws and rules of equity.

Based upon the pleadings, records, documents filed by counsel, and the arguments of counsel at the hearing, IT CLEARLY APPEARS:

a. According to the Texas Election Code Statue §172.052, December 30, 2009 was the final day for Steve Dorman had to withdraw from the March 2, 2010 Primary Election as a Precinct Chair. Steve Dorman failed to withdraw until January 4, 2010 and is therefore ineligible to file for Harris County District Clerk for the March 2, 2010 Republican Primary

b. Pursuant to § 141.033 of the Texas Election Code, A candidate may not file applications for a place on the ballot for two or more offices that: are not permitted by law to be

held by the same person; and are to be voted on at one or more elections held on the same day. If a person files more than one application for a place on a ballot in violation of this section, each application filed subsequent to the first one filed is invalid;

c. Plaintiff will suffer irreparable harm if Third Party Defendant, Steve Dorman is allowed enter the Republican Primary of March 2, 2010 for the office of Harris County District Clerk, in violation of the Texas Election Code.

d. Plaintiff is entitled to a temporary injunction because part of Plaintiff's relief in this lawsuit requires the restraint of the acts described above which are prejudicial to the Plaintiff.

e. The above described acts of Defendant relate to the subject of this litigation, in complete violation of the rights of the Plaintiff, and those acts, if allowed to continue, would render a judgment in this litigation against Defendant ineffectual.

e. The Plaintiff is entitled to a writ of injunction under the principles of equity and the laws of Texas relating to injunctions because he has been harmed by allowing the Third Party Defendant to illegally enter the race for Harris County Republican Party.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that, Defendant, JARED WOODFILL, IN HIS CAPACITY AS CHAIRMAN OF THE HARRIS COUNTY REPUBLICAN PARTY herein, and all of Defendant's officers, agents, servants, employees, agents, servants, successors and assigns, and attorneys are ORDERED to immediately remove STEVE DORMAN from the list of candidates of Harris Count District Clerk for the March 2, 2010 Republican Party Primary and until trial on the merits of Plaintiff's case, or until further order of this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case is set for trial

on the merits on _____ in the _____ District Court..

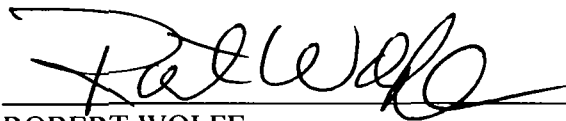
The clerk of the above-entitled court shall issue a temporary injunction in conformity with the law and the terms of this order upon the filing by Plaintiff of the bond amount set below.

This order shall not be effective until Plaintiff deposits with the Clerk, a bond in the amount of \$ _____ in conformity with the law.

SIGNED and ENTERED on _____ at _____ .M.

PRESIDING JUDGE

APPROVED AS TO FORM:



ROBERT WOLFE
Attorney for Plaintiff CHRIS DANIEL
9850 CYPRESSWOOD, SUITE 201
HOUSTON, TX 77070
Tel: (713) 225-5244
Fax: (281) 807-3756

Attorney For Defendant JERED WOODFILL, IN
HIS CAPACITY AS CHAIRMAN OF THE HARRIS
COUNTY REPUBLICAN PARTY