UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

WALTER SESSION, *et al*,
Plaintiffs

V. No. 2:03-CV-00354

RICK PERRY, *et. al*

Defendants

PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF ON REMAND

TO THE HONORABLE CHIEF JUDGE OR ASSOCIATE JUDGE OF SAID COURT:

COME NOW Frenchie Henderson, Plaintiff in the above captioned and numbered cause and, pursuant to Local Rule CV-5 (a)(1) and (2) of the United States District Court Rules for the Eastern District of Texas, files this Unopposed Motion for Leave to File Supplemental Brief on Remand, as tendered to the Court; and in this connection would respectfully show unto the Court as follows:

1.

Further research conducted by Plaintiff Henderson since submission of his last brief December 12, 2004 (Doc. 214), has provided Plaintiff with additional historical information that Plaintiff believes warrants the Court giving greater weight, than otherwise might be the case, to the interpretation of the Elections Clause articulated by "Senex", the author of the editorial published on April 27, 1808, and described in Plaintiff Henderson's Brief on Remand, 17-18.

2.

As indicated by the Certificate of Conference below, the Defendants *do not oppose* this motion for leave, and the Plaintiff avers the Defendants will in no way be unfairly prejudiced by the Court granting the present motion.

WHEREFORE, PREMSIS CONSIDERED, Plaintiff prays that this Unopposed Motion for Leave to File Plaintiff Supplemental Brief on Remand will in all things be granted.

Respectfully submitted,

Richard Gladden

Digitally signed by Richard Gladden
DN: cn=Richard Gladden, c=US, email=richscot1@hotmail.com
Reason: I agree to the terms defined by the placement of my signature on this document.
Date: 2005.05.24 11:44:50 -05'00'

Richard Gladden
Texas Bar No. 07991330
1602 East McKinney
Denton, Texas 76209
940/323-9307
Fax: 940/323-1697
Counsel-in-Charge for Plaintiffs

CERTIFICATE OF CONFERENCE
&
CERTIFICATE OF SERVICE

I, Richard Gladden, hereby certify that on May 24, 2005, I conferred by e-mail with Mr. Adam W. Aston, Assistant Solicitor General of Texas and associated Attorney of Record for Defendants, who stated, on behalf of Texas Solicitor General Ted Cruz, that the Defendants *do not oppose* Plaintiffs' Motion for Leave to File Supplemental Brief on Remand. I further certify that I have delivered a true and correct copy of the foregoing document, along with a copy of Plaintiff's proposed order, on the Defendants by service on Mr. R. Ted Cruz, Solicitor General of Texas, and on Mr. Andy Taylor, Attorney-in-Charge for Defendants, by both e-mail, and by U.S. mail (to P.O. Box 12548, Austin, Texas 78711-

2548, and to 405 Main Street, Ste. 200, Houston, Texas 77002, respectively); and that I have delivered a true and correct copy of the foregoing document, along with a copy of Plaintiff's proposed order, by e-mail, on all Attorneys-in-Charge for the consolidated Plaintiffs, Intervenors and Amicus herein, as listed below:

Otis W. Carroll Attorney-in-Charge for "Jackson Plaintiffs"	Nina Perales Attorney-in-Charge for G.I. Forum Plaintiffs	J. Gerald Hebert Attorney-in-Charge for Demo.Cong. Intervenors
Rolando Rios Attorney-in-Charge for LULAC Plaintiffs	Anthony Griffin Attorney-in-Charge for Cong.Intervenors Jackson & Lee	Javier P. Guajardo, Jr. Attorney-in-Charge for Valdez-Cox Intervenors
Morris L. Overstreet Attorney-in-Charge for Pltf. Coalition for Black Democrats	Gary Bledsoe Attorney-in-Charge for Pltf. Texas-NAACP	Renea Hicks Attorney-in-Charge for Intvr. Travis Co./City of Austin
Robert M. Long Attorney-in-Charge for Texas Demo. Party	Lucas A. Powe, Jr. Attorney-in-Charge for Amicus Univ. Profs.	David R. Richards Attorney-in-Charge for Amicus Ellen Richards (C/O Frank Ivey)
Norman S Primus Amicus, Pro Se	David Clayton Sander Attorney-in-Charge for Amicus Sun Valley, Texas (U.S. mail only)	& William Owens, Jr. Amicus, Pro Se (by U.S. mail only)

SIGNED this 24th day of May, 2005.

Richard Gladden

Digitally signed by Richard Gladden
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Reason: I agree to the terms defined by the placement of my signature on this document
Date: 2005.05.24 11:45:58 -05'00'

Richard Gladden

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ORDER

On this day came on to be considered in the above captioned and numbered cause Plaintiff Henderson's Motion for Leave to File Supplemental Brief on Remand. The Court, having carefully considered the Motion, is of the opinion that the Motion is well-taken and should be, and therefore is hereby, GRANTED. Accordingly, the Clerk is directed to file, as tendered, Plaintiff Henderson's Supplemental Brief on Remand.

SIGNED this _____ day of _____, 2005.

_____
Patrick E. Higginbotham
United States Circuit Judge

_____
Lee H. Rosenthal
United States District Judge

_____
T. John Ward
United States District Judge

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