

Stuart Messer, 100th Judicial District Judge
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Re: Cause No. 11807; Kelly Martin vs. White Deer Independent School District, et al.
In the 100th District Court of Carson County, Texas

Dear Counsel:

After listening to the summary judgment arguments and reviewing the submitted pleadings and briefs the court makes the following findings.

I find that when the board of trustee voted in June of 2015 the act was not contrary to law because the act of the legislature was contingent upon a vote of the people in November. I find this not to be an ultra-vires act and defendants' motion for summary judgment in regarded to the plaintiff's suit against the board members and superintendent individually is granted.

I do not find the act to be unconstitutional, I do find it to be permissibly retroactive, and I do not find that plaintiffs were required to exhaust administrative remedies. I grant the plaintiffs motion for summary judgment as to these issues.

All parties are responsible for their own costs.

Please circulate an order for my signature.

Respectfully submitted



Stuart Messer,
100th Judicial District Judge