

CAUSE NO. 18-003225-CV-272

Emert, Kristin

MARGARET MEECE,
Plaintiff
V
GABRIEL GARCIA,
Defendant

IN THE DISTRICT COURT OF
BRAZOS COUNTY, TEXAS
272D JUDICIAL DISTRICT

ORDER ON DEFENDANT'S MOTION TO DISMISS

On this 5th day of February, 2019, came on to be heard the Defendant's Motion to Dismiss under The Texas Citizen's Participation Act, Chapter 27 of the Texas Civil Practice and Remedies Code, and the Court, after considering said Motion, Response, Replies, all exhibits, pleadings, affidavits, and other matters properly before the Court, was of the opinion that the following Order should be entered; it is therefore

ORDERED, ADJUDGED AND DECREED that the Motion To Dismiss be, and it is hereby, GRANTED (1) as to causes of action arising from the 2016 Brazos County Commissioner Campaign, and (2) as to causes of action independent of and not based upon the Texas Election Code Section 253.131 (LIABILITY TO CANDIDATES: "A person who knowingly makes or accepts a campaign contribution or makes a campaign expenditure in violation of this chapter...") and/or Section 254.231 (LIABILITY TO CANDIDATES: "A candidate...who fails to report in whole or in part a campaign contribution or campaign expenditure as required by this chapter..."); it is further

ORDERED, ADJUDGED AND DECREED that, except as specifically ordered above, the Motion to Dismiss be, and it is hereby, DENIED in all respects.

SIGNED this the 5th day of February, 2019.



PRESIDING JUDGE