



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS**

TARRANT COUNTY JUSTICE CENTER
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URGENT

September 16, 2008

The Honorable Wallace B. Jefferson
Chief Justice, Supreme Court of Texas
201 W. 14th Street, Room 104
Austin, TX 78701

VIA FAX: 512-463-1365

Re: Court of Appeals No.: 02-08-00305-CV
Trial Court No.: 236-231160-08

Style: Kim Brimer

v.

Stephen C. Maxwell, in his capacity as Chairman of the
Democratic Party of Tarrant County, and Boyd L. Richie,
in his capacity as Chairman of the Texas Democratic
Party, and Wendy R. Davis

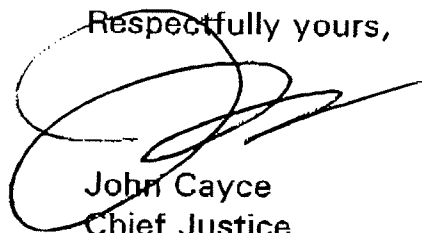
Dear Chief Justice Jefferson:

The above referenced election code contest was filed in this court on July 24, 2008, and placed on an accelerated docket. The briefs and record have been filed and the case is currently set for submission with oral argument on Thursday, September 18, 2008. Subsequent to scheduling the case for submission, however, circumstances have arisen which warrant that the case

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be transferred to another court. I have contacted Chief Justice Linda Thomas of the Fifth Court of Appeals in Dallas and she has agreed to the transfer of the case to her court and to schedule submission of the case to a panel of her court on an accelerated basis. We, therefore, respectfully request that the case be immediately transferred to the Fifth Court of Appeals.

Respectfully yours,



John Cayce
Chief Justice

cc: Honorable Linda Thomas
Chief Justice, Fifth Court of Appeals
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