

Supreme Court of Texas

No. 26-0171

In re State of Texas,

Relator

On Petition for Writ of Mandamus

ORDERED:

1. The State’s Rule 52.10 motion for temporary relief is granted. *See generally In re State*, 711 S.W.3d 641 (Tex. 2024). On the limited record before us, and without making any definitive determination on the merits, we conclude that there exists “serious doubt about the constitutionality of the” Harris County program at issue. *See id.* at 646. Among other things, it is not clear that the County has constitutional or statutory authority to conduct the program. *See State v. Hollins*, 620 S.W.3d 400, 406-08 (Tex. 2020). And after the funds are expended, they “cannot feasibly be recouped.” *In re State*, 711 S.W.3d at 647. The County offers several defenses, which in granting this motion we do not reject. We are confident the court of appeals will afford them serious

consideration, and our decision today is not a determination of the merits.

2. Harris County is ordered to refrain from disbursing funds in connection with the Immigrant Legal Services Fund and the Immigration Resource Hotline until further order of this Court. The court of appeals should proceed to decide the appeal now pending before it.

3. Justice Lehrmann, Justice Bland, and Justice Huddle dissent with the following statement:

On the limited record before us, the State has not established that the court of appeals erred in declining to issue temporary relief while that court considers the appeal. We express no opinion as to the merits of the appeal.

4. The State's petition for writ of mandamus remains pending in this Court.

ORDER FILED: June 26, 2026